THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS

JANUARY 1989 $3.50

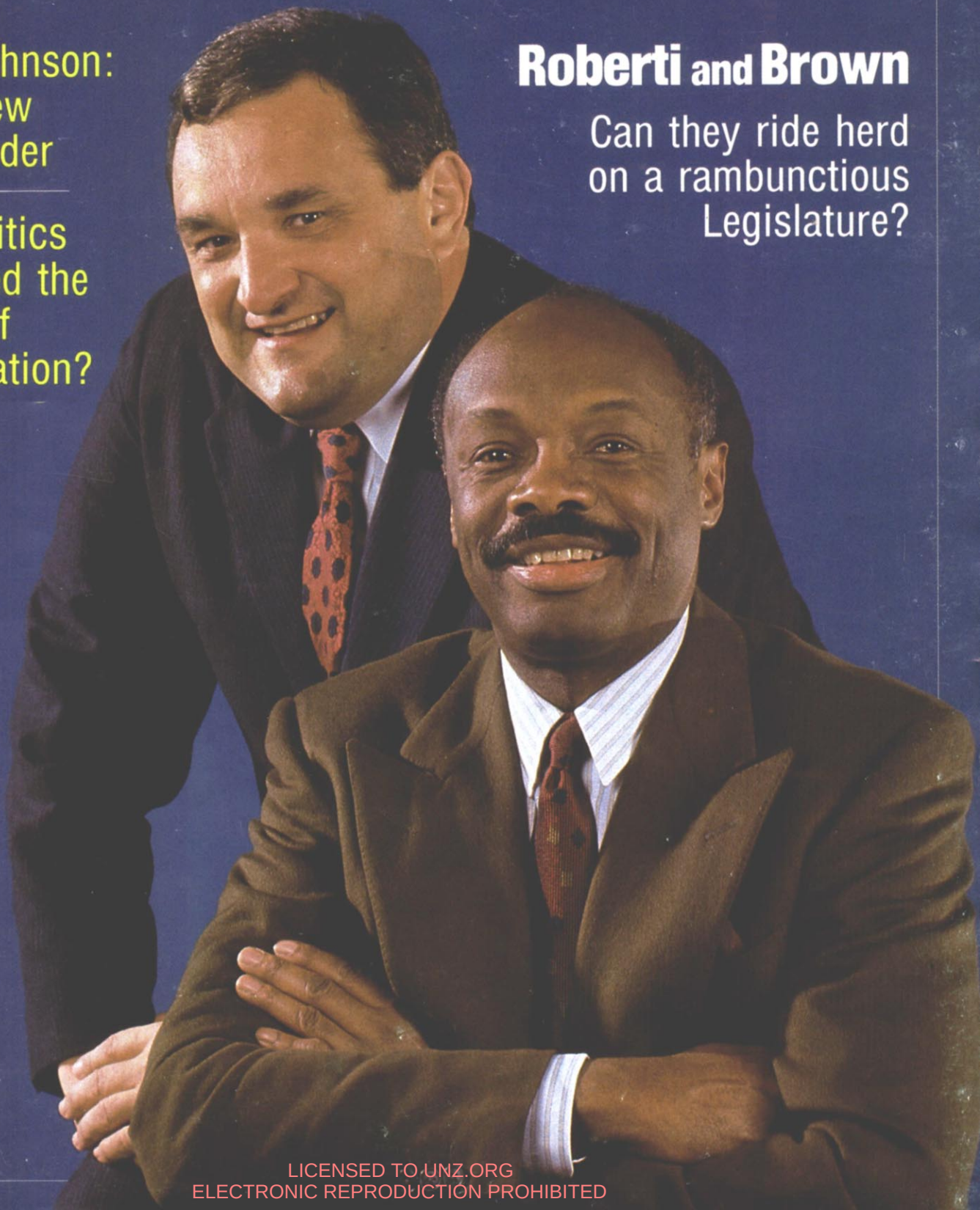
CALIFORNIA Journal

Ross Johnson: Fiery new GOP leader

Has politics tarnished the Board of Equalization?

Roberti and Brown

Can they ride herd on a rambunctious Legislature?



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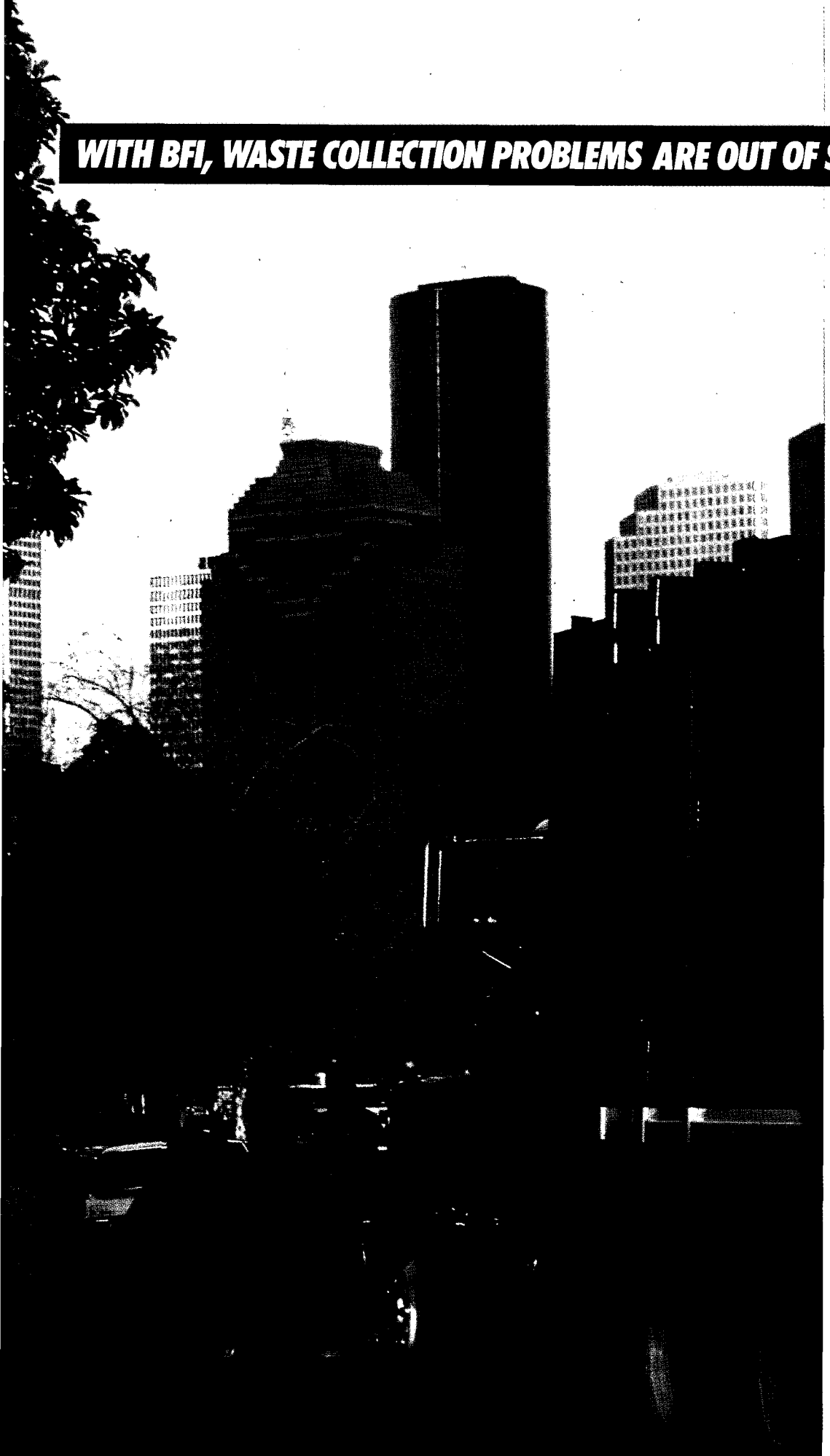

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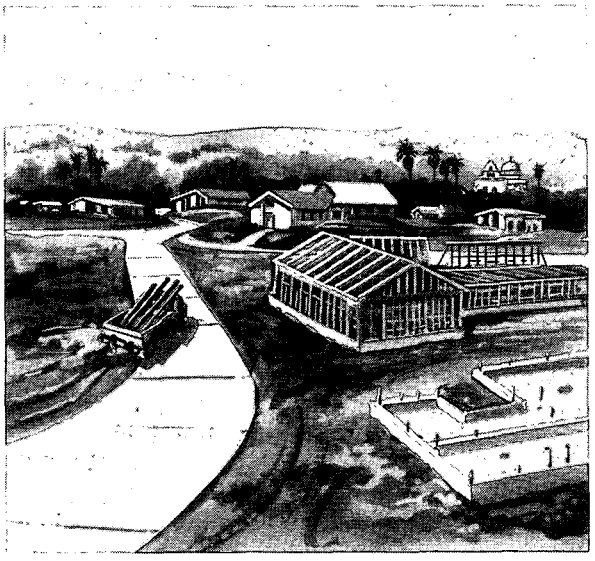

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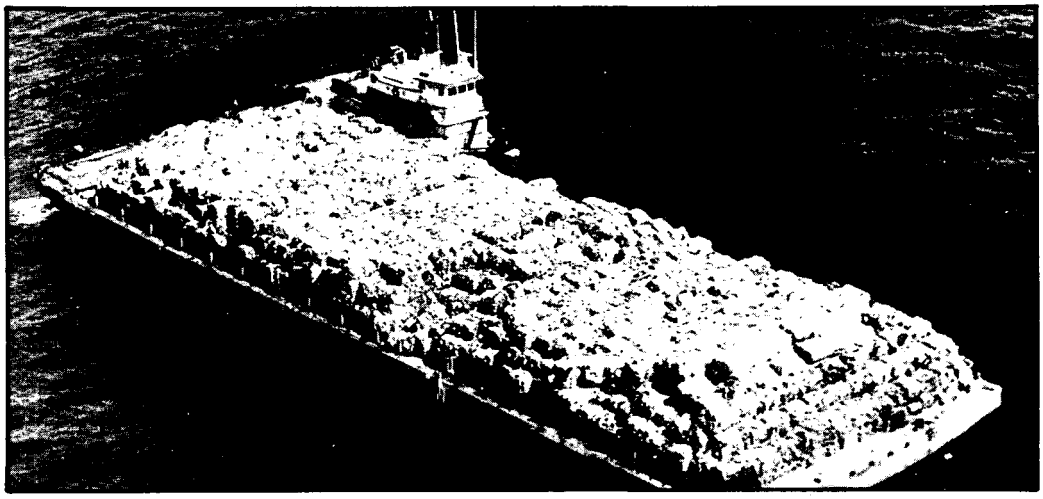

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CALIFORNIA Journal

VOLUME XX, NUMBER 1 JANUARY 1989

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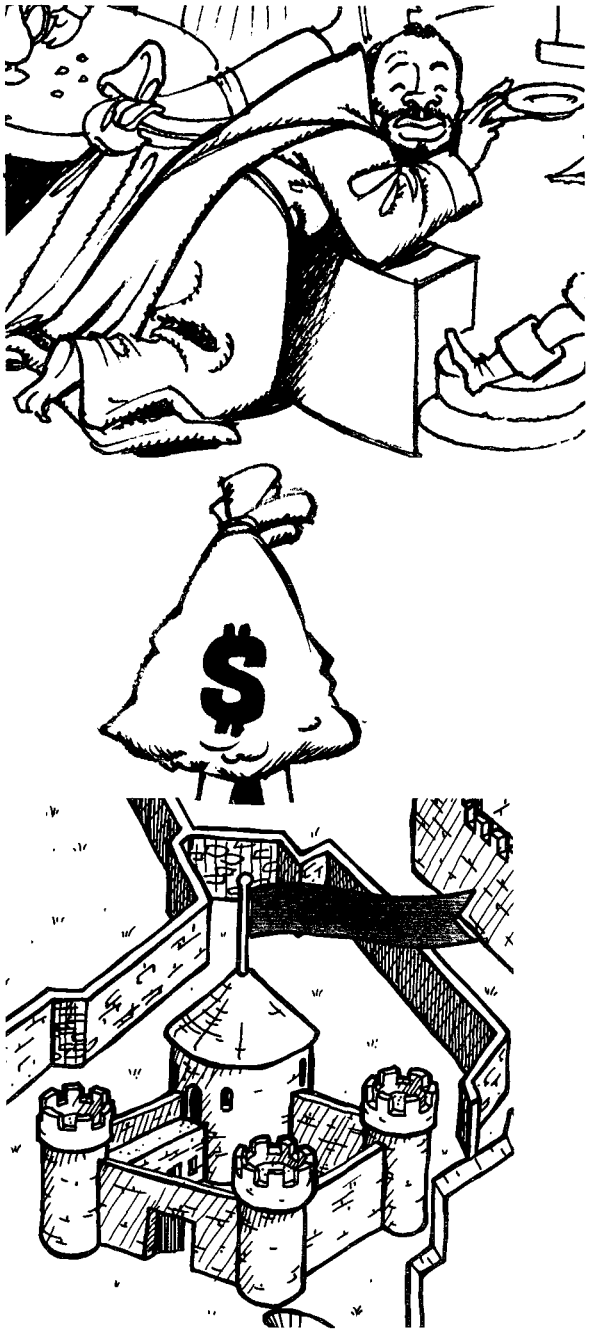

Cover photo by Rich Pedroncelli

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UP FRONT

As if the Democrats don't have enough troubles, Jerry Brown is back. He's older; he's wiser; he's seen the world from the feet of Mother Teresa. And he wants to be Democratic Party chairman. In fact, before anyone seems to know what's happened, Brown may have a lock on the job, having secured the support of legislative leaders. To get the post, which suddenly is worth more because of new campaign-financing rules that grant more power to the political parties, Brown had to bend the party customs a bit. For one thing, the job usually rotates between the north and south, and it's now held by Los Angeles' Peter Kelly. Brown lives in Los Angeles. But he quickly rented an apartment in his hometown of San Francisco. For another, the job usually goes to the party vice president, in this case Steve Westly. For another, it usually goes to a figure who's not quite so controversial. When asked about the prospects of Brown as party leader, Republican Party Chairman Bob Naylor broke into a huge grin and bellowed, "He's back. Can Rose Bird be far behind?" Despite Brown's protests, hardly anyone really believes he suddenly has developed great concern for a party he largely ignored when he was governor. But this might be a good time to dust off the Brown-for-president buttons.

Jerry isn't the only Brown bursting onto the statewide political scene. His sister, Kathleen, has started a campaign for state treasurer. She's the Brown who inherited pappa Edmund G. Brown Sr.'s charm. Is she worried her chances will be hurt by her brother's political reemergence? "I long ago learned, when it comes to Jerry, not to worry about those things you can do nothing about."

Barry Keene received a recent honor from *California* magazine. In its December 1988 issue *California* dubbed the Senate majority leader one of the worst bosses in the state — a "Boss from Hell." Subtitled "the Talleyrand of Sacramento," the magazine cited Keene's high staff attrition rate, his fits of random firings and rehirings and an "erratic and volatile personality" as reasons why it considered him the worst boss in government. Adding insult to injury, the magazine misspelled the senator's name throughout its article (Keane rather than Keene).

Deja Vu Department, stupid moves division. We always look forward to Assemblyman Tom Hayden's Christmas card. Last year it featured a cheery photo of Tom, Jane and the kids — underwater. This year the family posed during a typical outing at a Santa Monica deli. Only, daughter Vanessa is

dressed in an American-flag shirt, with "God Bless America" scrawled across the front. Her shirt looks like a family heirloom, circa 1969 — that very era that Hayden is now trying to outdistance politically. We can't wait to see what happens when Gil Ferguson gets his copy of the card.

Bill Honig used the Proposition 98 campaign to good advantage by producing a glitzy, full-color, 32-page, 8-by-10 brochure featuring five, full-page photos of Bill Honig. Some feminists, however, are upset not with Honig's pictures but with two graphs used to display trends in student SAT scores. The first graph, showing that student scores fell between 1971 and 1982, is illustrated with the cartoon of a young girl asleep at her desk. A second graph, indicating that scores rebounded after Honig became schools' chief in 1982, is illustrated with the cartoon of an alert boy raising his hand.

In a scene that could have come from "Alice in Wonderland," Democratic Assemblyman Tom Bates was spotted removing political doorhangers from Berkeley homes in the wee hours of last November 8th — election day. The Carrollish twist? The doorhangers endorsed Bates himself. According to the *Berkeley Voice*, which reported the story in its November 10th edition, the doorhangers were distributed by the Berkeley Democratic Club and also endorsed city council candidates opposed by Bates' wife — Berkeley Mayor Loni Hancock. Although removing campaign literature is illegal, Bates was reported to have joked that the doorhangers were "recyclables."

(David Shiver, Berkeley)

The state Chamber of Commerce recently touted the fact that California voters agreed with its position on 18 of 25 ballot measures during last November's election. The implication, of course, is that the chamber is in lockstep with the great majority of Californians. The chamber failed to point out,

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however, that voters parted company with it on seven crucial initiatives: Cal-OSHA restoration, school funding, the cigarette tax Proposition 103 insurance regulation, no-fault insurance, consumer disclosure, and limits on attorney fees.

Tainted money department. Some of the money donated to Speaker Willie Brown's annual end-of-the-session bash last August in Sacramento came from one Dorothea M. Puente. This was several months before Puente's backyard in Sacramento became one of the more grisly stops on a capital sight-seeing tour. The police alledged that the 60ish Puente had been operating a boarding house where more than a half-dozen residents ended up dead while their former landlady cashed their Social Security checks. Puente bought two tickets to the speaker's event, at $50 a pop. The speaker's office speculated that Puente may have purchased the tickets at one of several Sacramento watering holes frequented by politicos and staff who were selling them.

"Politics is the business of weighing values against one another and preferring some to others."
— George Will

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front." So, rush your items to Up Front, 1714 Capitol Avenue, Sacramento, CA 95814. Sorry, submissions cannot be returned.*

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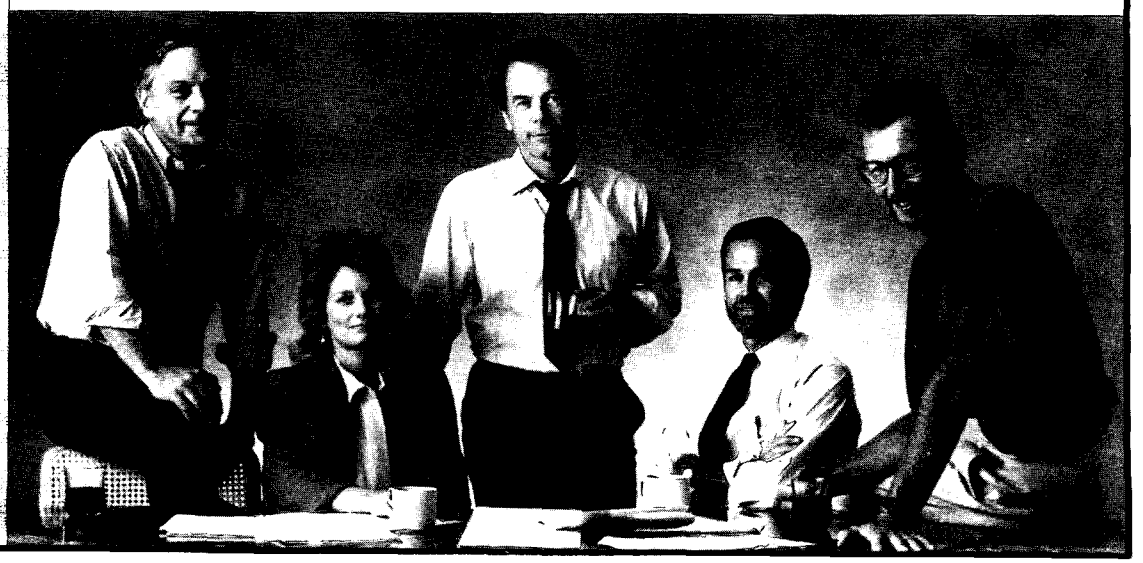

Left to right: Art Zimmerman, Diana Rains, Lloyd Clark, Bill Hauck, Rick Brandsma

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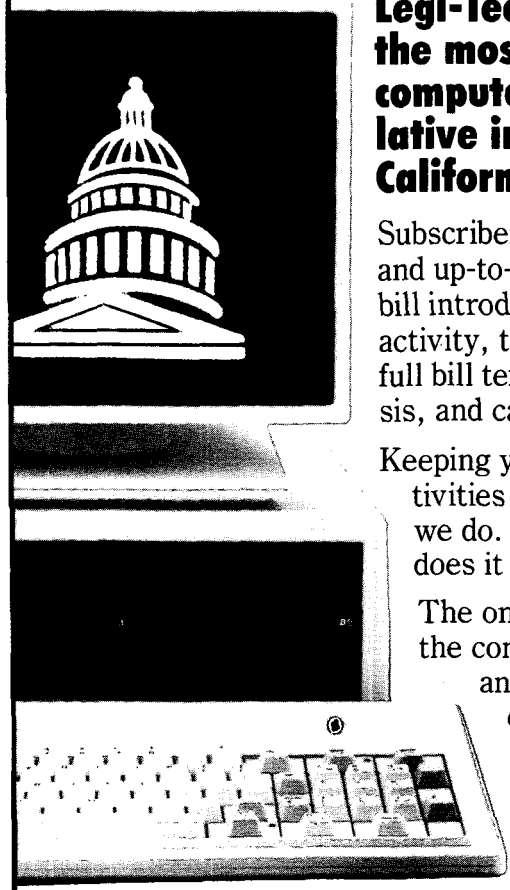

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ROSTRUM

Initiative spending

As campaign director for the bottle bill initiative (Proposition 11, November 1982), I had a hard time recognizing the campaign spending figures used in your article (see "Afloat on a sea of cash," *CJ*, November 1988). I have no idea where you came up with our spending $584,318 for our signature-gathering effort. More careful research would have shown that the Californians Against Waste Campaign Committee spent only $239,769, as indicated on our campaign report covering the period through the end of the signature-gathering effort (October 1981 through February 1982). Of that amount, less than $150,000 was actually spent for signature gathering; the remainder went for other campaign expenses during the same period. It seems apparent that you "double-counted" some campaign-reporting periods.

MATT KUZINS
Sacramento

Campaign '88

In your wrap-up on the recent election (see *CJ*, December 1988), you used an inaccurate figure in your analysis of the 5th Assembly District race. You said that my opponent "was outspent by about $100,000." In fact, my campaign spent $348,635.02; my opponent spent $339,530.39 — a difference of $9104.63. In addition, an item in your "Up Front" section claimed that I ran ads touting support from the Sacramento County Deputy Sheriffs Association. I did not receive the support of Wendell Phillips and that association. I am proud, however, of the overwhelming support I received from the law-enforcement community, including Sacramento County Sheriff Glen Craig, the California Correctional Peace Officers Association, Peace Officers Research Association of California, California Association of Highway Patrolmen, the Auburn Police Officers Association and others.

TIM LESLIE
Assemblyman, 5th District
Roseville

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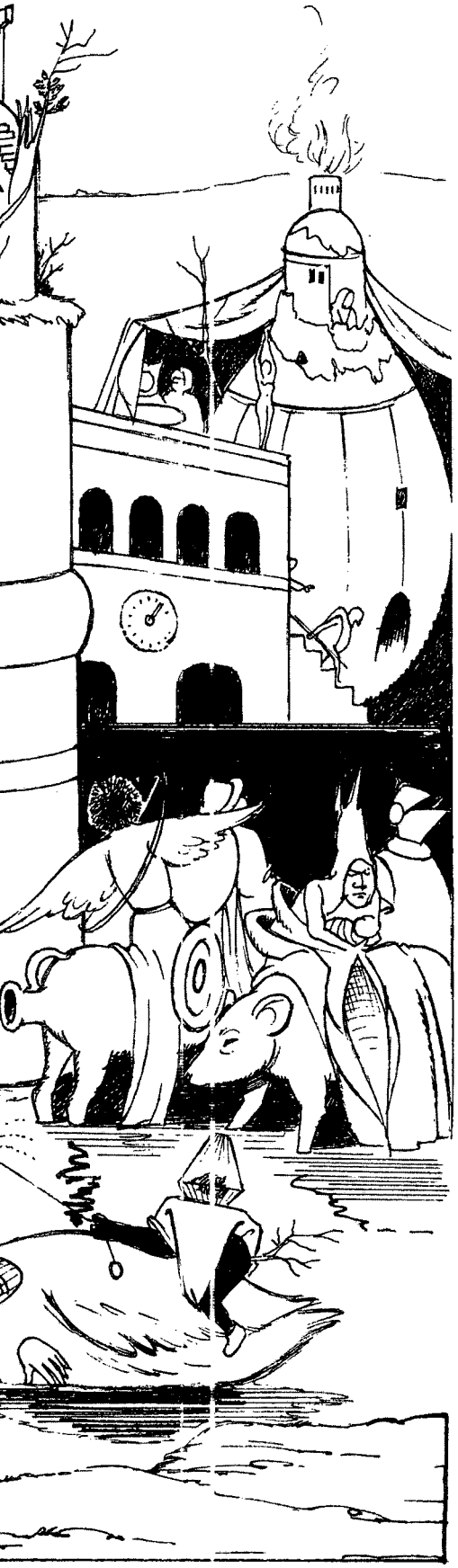

The road to legislative hell

This was the year things were finally going to get better. And then ...

By Richard Zeiger

The new Assembly Republican leader, Ross Johnson, was making his first official trip to see Speaker Willie Brown. It was to be a time to start healing wounds created by the November elections. Brown, against all expectations but his own, had added three loyal Democrats to his fold. There was no chance the Republicans, even teamed with the five dissident Democrats known as the "Gang of Five," could deny him a fifth term as speaker, and there were even rumors that two or three of these dissenters might be coaxed back into the fold.

Brown had said he was ready to reach out to Johnson. Politics held too much sway over the Assembly, said the master politician. It was time to work together to develop new policies and programs needed by the state's citizens.

Brown himself planned to carry major legislation in several areas, including toxic pollution control and insurance reform. The special interest groups that had hamstrung the Legislature in past years — with an eye on the defeats suffered at the ballot box by the insurance industry, trial lawyers and tobacco companies — would be more interested in compromise. There would even be some reform measures for the Assembly's own operations, a grudging acknowledgement that the Legislature had been damaged by the FBI probe of its activities. Republicans, under their new leader, would be more interested in these policy matters. Besides, they had to give up the idea they could win control of the Assembly before the 1990 reapportionment.

"The prospect of reapportionment [dominated by Democrats] is going to drive them to want to cooperate. There are going to be lots of people driven to get along," Brown maintained.

And with that realization Republicans would have little need to carry on their side of the partisan bickering that characterized the Assembly, and in fact would have some strong reasons to cooperate with the majority in the hope that the resulting redistricting would not be too punishing. According to Brown, there was, in short, a "window of opportunity" to put the bickering aside and tackle some long-neglected problems.

But when Johnson arrived at Brown's ornate Capitol office, he found not just the speaker but two Republicans as well. Assembly members Sunny Mojonnier and Gerald Felando were there, too, and they had not been invited by Johnson. Brown's message to Johnson was clear: You may be the new Republican leader, but you don't command the loyalty of all your members. Some of them support me.

By most accounts, the rest of the meeting was polite, if inconclusive. But the volatile Johnson was seething. With one gesture of hubris, Brown blew his chance for a peaceful start to the session.

Johnson left the meeting and declared war. Unlike his predecessor Pat Nolan, Johnson declined to give Brown the purely symbolic Republican votes for speaker. Nolan for the past two terms had agreed that Brown could be elected by acclamation. In exchange, Brown had allowed Nolan almost complete control over committee assign-

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ments and office space for Republicans.

Under Johnson, not only would Republicans not give their votes to Brown, but they would give them to Gang of Five member Chuck Calderon of Alhambra. Then, in concert with the gang, brochures were sent into the districts of four vulnerable Democrats: Steve Clute of Riverside, Norm Waters of Plymouth, Dominic Cortese of San Jose, and newly-elected Ted Lempert of San Mateo. The brochures urged these Democrats to "pull the plug" on Brown. But beyond that, similar mailings were sent into the districts of three Republicans believed to be pledged to Brown: Mojonnier, Felando and Stan Statham. As the beginning of session got closer, Johnson threatened to press recall elections against one or more of these legislators if they voted for the speaker.

The intrigue ended with the opening of the session. Brown won reelection with 40 votes, all he needed because of the vacancy created by the death of Los Angeles Assemblyman Curtis Tucker. Calderon got 34 votes, 29 Republicans and the five Democratic gang members. The three targeted Republicans outflanked Johnson by nominating and voting for the minority leader himself. One Republican, Cathie Wright, declined to vote, and one Democrat, Lloyd Connelly of Sacramento, was out of town.

All this session-opening jockeying left the Legislature more fractionalized then ever and the prospects for productivity grim.

Brown had been reelected, but the Gang of Five remained on the outside. The Assembly's most liberal Democrats, known as the Grizzlies, were now on occasion openly skeptical of Brown's leadership; and to pass some of the policy changes he was advocating, Brown would probably have to move to the right, not toward the liberals.

Johnson had received the Republican baton from Nolan, but he had a dozen dissidents within his ranks and at least three very angry enemies (see "Ross Johnson," page 15). He had also made it clear that politics were not at an end, declaring that for him, good state policy meant "electing 41 Republicans" to the Assembly.

The Senate, in contrast, remained an island of calm, and Senate President pro Tempore David Roberti insists that at least in his house, substantial work can be done.

"I think it can still be a very productive year," said Roberti. "It's our policy year, where we address so many of the problems that are confronting the state. I think we can do it, and I know the senators on both sides ... are eager."

Roberti's relations with Senate Minority Leader Ken Maddy of Fresno remain good. But if Maddy should decide to seek statewide office, that could change.

The prospects for leadership from Governor George Deukmejian are uncertain. The governor's policy agenda, always modest, has largely been accomplished, and there is the distinct possibility that he will decide against seeking a third term, which will make the Legislature even less willing to bow to the few demands he might make. He has had a few surprises, though, saying that in light of the voters decisions on Propositions 98 and 99 he might be willing to consider a change in the state's Gann limit on spending. If that comes to pass and a way is found to raise money without violating Deukmejian's no-new-taxes pledge, a whole array of policy changes might be possible, includ-

The new

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Ted Lempert
(D-20th District)
Home: San Mateo
Age: 27
Occ: Attorney
Defeated incumbent Republican Bill Duplissea.

Paul Woodruff
(R-61st District)
Home: Redlands
Age: 28
Occ: Legislative aide
Succeeded incumbent Republican Bill Leonard, who moved to the Senate.

Willard Murray Jr.
(D-54th District)
Home: Compton
Age: 57
Occ: Congressional aide
Defeated incumbent Republican Paul Zeltner.

Bob Epple
(D-63rd District)
Home: Norwalk
Age: 39
Occ: Attorney
Defeated incumbent Republican Wayne Grisham.

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ing an enhanced highway construction program, which remains on the governor's thin list of things to be done despite the defeat of his general obligation bond proposal last June.

But perhaps the most likely arena for some legislative activity this year is in the area of political reform, ranging from changes in the Assembly rules to new standards for the ethical conduct of legislators and their staffs. Proposals have already come from leaders of both parties as well as an exhaustive series of reform proposals from Common Cause.

Robert , for example, thinks that gifts and outside income of legislative staff needs to come under closer scrutiny (see "Striking it rich," *CJ,* March 1988).

Speaker Brown, who called himself the "king of honorariums," said there had to be some restriction on this form of payment that goes directly into the pockets of lawmakers, perhaps a cap on the total amount received, or the amount that can come from any one source. He also wants to turn over review of ethics questions to a new Assembly ethics committee. One of these exists in the Senate, but it has been used only on rare occasions, and then without much effect. Brown said he is also willing to consider a cap on the number of bills each member could author, a restriction that could move the Legislature closer to the system used in Congress where most substantial legislation is the product of the committee system.

Brown even is willing to approve some changes in the way the Assembly operates. These will not diminish his power, he insists, but they will permit him to "share responsibility" for some of the routine operations of the Assembly. He might, for example, give the Rules Committee the power to allow bills that exceed any cap. "I sure don't want to be in the position of having to decide every bill," he said.

And he even might be willing to make a change in his power to remove members from committees, a key element of the Gang of Five's criticism of Brown. Brown said he would support a change that would allow him to remove committee members only at their request, or for cause. Any member who disagreed with Brown's decision could appeal it to the full Assembly.

That reform may be more cosmetic than real, however, since even Brown concedes a vote challenging his decision would amount to a vote of "no confidence" in his speakership. Furthermore, he made it clear that he would have to reveal the reasons for his decision, "and I suspect most people won't want that spread on the record. I expect resignations."

Brown has promised reforms in the past and not delivered. At one point he proposed an ambitious series of campaign-spending reforms, but the measure failed to get anywhere. And in fact, when a very similar measure appeared on the June ballot as Proposition 68, Brown helped finance the campaign against it.

Brown's past record on reform is cited by Gang of Five members as a reason to wary of the speaker's promises now. Still, at least some of them are not completely closing the door.

"What we do depends on what the speaker is willing to do about reforms," said gang member Rusty Areias of Los Banos. And he added that gang members are going to be very careful they are not being pulled back under the Brown spell. "I'm not going to ask him for any-

members

Curt Pringle
(R-72nd District)
Home: Garden Grove
Age: 29
Occ: Merchant
Replaced incumbent Republican Richard Longshore, who died.

SENATE

William Leonard
(R-25th District)
Home: Redlands
Age: 41
Occ: Assemblyman
Succeeded incumbent Republican H.L. Richardson, who retired.

Carol Bentley
(R-77th District)
Home: El Cajon
Age: 43
Occ: Legislative aide
Succeeded incumbent Republican Larry Stirling, who moved to the Senate.

Larry Stirling
(R-39th District)
Home: San Diego
Age: 46
Occ: Assemblyman
Succeeded incumbent Republican Jim Ellis, who retired.

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thing," said Areias. "If he thinks he can use my talents someplace, fine." But Areias realizes that it's "unrealistic to think we can jump right back in the caucus."

Those kinds of discussions can be touchy. For example, Brown held up the rehiring of Mike Lynch, gang member Gary Condit's chief political operative, until after Condit had met with Brown.

The speaker, too, is capable of playing the waiting game. Of the gang, he says they now "have a clean slate. They are in a position to request."

As a result, Areias said gang members expect to remain outsiders during the upcoming session, although they also expect the speaker and others will have to come to them for votes that might be needed to pass some legislation.

There has been one advantage to the outsider status, Areias noted. Now when he votes with the Democratic caucus, Brown is much more appreciative. "In the past, I'd vote with him 99 percent of the time, and the one time I didn't he'd be in my face. Now, when I give him a vote, he's right over thanking me," said Areias.

Still, there are those who postulate that events might break up the gang even if the speaker's enticements cannot. Gary Condit of Ceres is reportedly interested in a race for the Senate seat now held by Dan McCorquodale of San Jose, even if it means pushing McCorquodale out. Calderon is in a position to run for the Senate should Whittier's Joe Montoya, a target in the on-going FBI influence-peddling probe, leave office. And Areias said he, too, would be interested in the Senate, if Ken Maddy runs for statewide office.

But while gang members fight for more independence from the speaker, Brown believes that too much independence was at the root of his trouble. He allowed members of his caucus to operate free of his direction, but he claims the gang members began to abuse that grant.

"There's no question about that. When I taught them [the gang members] how to execute, they didn't understand that you should only execute for good and proper reasons, not selfish reasons. When they began to execute for selfish reasons, that's when the eviction notices were issued."

Gang members, of course, don't agree with Brown's assessment. Brown only became upset, they maintain, when he could no longer enforce his views on them and a majority of the Legislature.

Regardless, Brown is now convinced that if the Legislature is to produce anything this year, he is the one who will have to do it. His past generosity in turning bills over to colleagues was a mistake and he must now offer legislation himself.

Before he became speaker, Brown was a forceful policy advocate, and no one underestimates his skills at advancing legislation, should he want to. But since his tenure as speaker, he can claim few measures of any significance that he has personally authored, although he, and others, insist Brown deserves credit for a wide array of measures that were carried by others.

But there are risks in Brown stepping forward, risks that Brown has not been willing to shoulder in the past. During his record tenure as speaker, Brown has exercised his powers primarily with one goal in mind: keeping hold of the leadership post. That meant doing favors for the members, giving them committee assignments, staff and car telephones. In exchange, he asked only one thing: that they support him for speaker. He took pride in the fact that he almost never pushed for a vote on policy grounds.

Now, if he follows through on his promise, he will be asking for more. He will be asking for votes on issues that may be tough to give. He may have to spend down some of the credits he has accumulated in order to achieve his policy goals. And that could give members fewer reasons to support him as speaker.

But Brown professes to be unconcerned about this prospect.

"There was a lack of success in the method of simply supporting other members," Brown said. "I think I can move my proposed agenda ... without people assuming that their office space won't be there or their committee chairmanship won't be there if they vote my bill."

Brown adds that the turmoil and challenges of the past year have only made him more determined than ever to remain as speaker.

"I will not be defeated. There's nobody else that's going to win the speakership. I've just done my homework and that stands you in good stead. Not one person who is a Willie Brown critic has ever uttered the word 'incompetent.' Being speaker, it's an indeterminent sentence. And the attacks on me made my resolve even greater."

But forces are in motion that may make things difficult for the speaker. The results of the FBI probe have yet to be realized and although the speaker is not implicated, the events, as the saying goes, took place on his watch. The gang members will continue to foment trouble, and others have seen that it is possible to oppose Brown with minimal punishment. Republicans are divided, and at least at this point seemed determined to pursue a futile cause of conflict.

In all, if there was a window of opportunity when the session started, it probably has been slammed shut.

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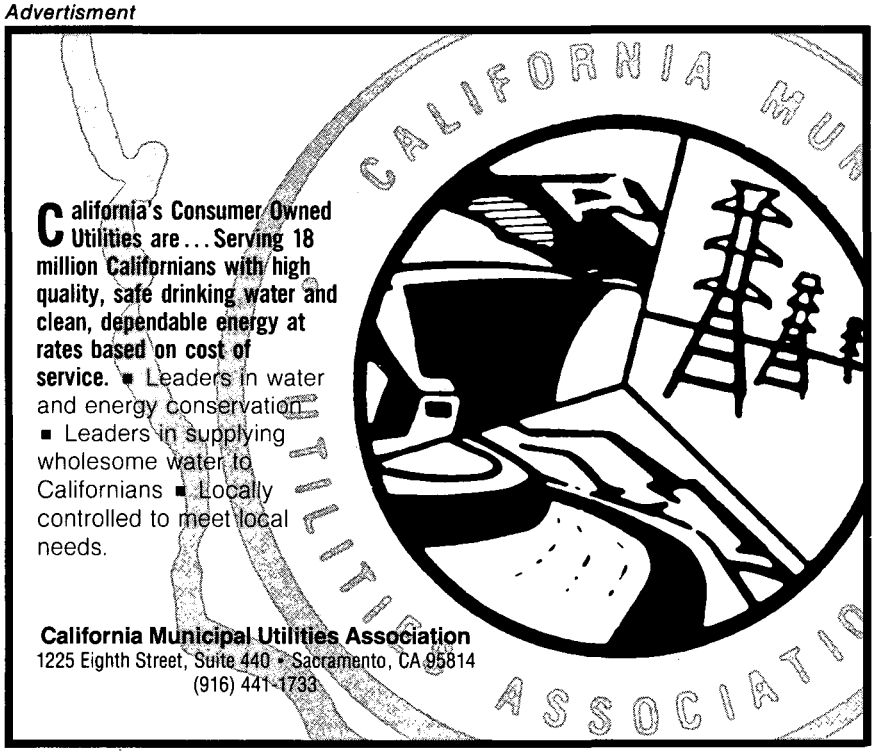
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The new Assembly minority leader

Can pugnacious Ross Johnson unify a fractious caucus?

By Ken Hoover

Photo by Rich Pedroncelli

Ross Johnson became leader of the Assembly Republicans in the span of little more than 24 hours — the blink of eye compared to the weeks or months politicians usually devote to plotting for such a prize.

It began Wednesday morning, November 9th, when Republicans in the lower house awoke to the realization that the election had been a disaster for them. Two GOP incumbents — William Duplissea of San Carlos and Paul Zeltner of Lakewood — had been defeated while the reelection of a third — Wayne Grisham of Norwalk — was in doubt. When the votes were all counted, Grisham, too, would lose.

In a phone call to Johnson late that morning, Pat Nolan, then the Assembly GOP leader and a close friend of Johnson's, said he was going to resign his leadership post. A caucus leader's first responsibility is to ensure that members of his caucus are re-elected, Nolan would later say, and he had failed in that mission.

As Johnson tells the story, he assured Nolan he still had the votes to stay on the job. "As long as you want to be minority leader, I'll support you," Johnson quotes himself as saying.

"What I'm telling you is, I don't want it anymore," Nolan said.

"Well, under those circumstances, I would want the job," said Johnson.

So with that declaration and the promise of Nolan's support, the 49-year-old veteran of 10 years in the Assembly called every Republican member he could reach, trying to round up the votes he needed.

It was a hectic day but, by early evening, he was sure he had it nailed down. The next morning his small office was jammed with Republican members preparing for a caucus meeting at which the party's leader would be chosen. When it was over two hours later, Johnson had the job. The vote for Johnson was 20-11, with the other votes going to Assemblyman Bill Jones. There will be no honeymoon, and he must act quickly to mend fences in a deeply divided GOP caucus.

But Johnson is not much of a mender. In Ross Johnson, the Republicans have picked a pugnacious and partisan pit bull of a politician, forceful and aggressive in debate, a committed conservative who gives no quarter. Any floor debate involving Ross Johnson is bound to be lively.

But is Johnson the right man for the job? He is taking over a caucus not only diminished in number but bitterly divided, and there is nothing about him that suggests he has the capacity to be a conciliator.

He fights passionately for his causes and for his party, but he cares not upon whose toes he steps. Last September he railed against Governor George Deukmejian's choice of low-key and nonpartisan Auditor General Tom Hayes for state treasurer, calling it "outrageous ... incomprehensible ... a slap in the face to thousands of dedicated Republican activists,

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Ken Hoover is a reporter for United Press International in Sacramento.

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people who have labored years in behalf of Governor Deukmejian. It's essentially saying there's no Republican who is both qualified and confirmable."

Although there had been talk in both parties that this was a year that might see some conciliation between Assembly Democrats and Republicans, Johnson began his tenure as Republican leader with a divisive and futile attempt to deny Democrat Willie Brown a record fifth term as speaker. He peppered the districts of seven Assembly members, including three fellow Republicans, with mailings designed to pressure them into voting against Brown.

The four Democrats voted for Brown anyway, and the three Republicans, who were rumored to be closet Brown supporters, did not vote for Johnson's choice, Charles Calderon — a member of the Gang of Five rebel Democrats. Instead, they outflanked their new minority leader, voting for Johnson himself despite Johnson's attempt to withdraw his name from consideration.

The maneuver won Johnson no friends among Republican dissidents already alienated by Nolan.

"Ross Johnson has done more to hurt the Republican Party in four weeks than Pat Nolan did in four years," proclaimed Republican Stan Statham, the most outspoken of the dissidents, in a harsh and unprecedented speech on the Assembly floor.

Now Johnson says he's going to insist on rights for the Republican minority, including the right of the caucus to select members to committees. That's a power that Brown had delegated to Nolan. But then, Nolan had agreed to have the Republicans vote for Brown in speakership contests. With his position as speaker secured, Brown may not be interested in being as accommodating to Johnson.

Johnson has an explosive temper that has gotten him into trouble occasionally, but he also is capable of hearty laughter, and most members of the Assembly in both parties seem genuinely to like him, despite his combative nature.

"One positive attribute that Ross has is that if he disagrees with you, he tells you," said Assemblyman Bill Jones of Fresno, who ran against Johnson for minority leader. "I'd rather have somebody who is blunt and honest with me than somebody who is silent, and you don't know where they stand."

Knowing where Ross Johnson stands has never been difficult to figure out. He fits the 64th Assembly District in Orange County, which is 55 percent Republican, like a glove. He

"I engage in vigorous spirited debate because I've got strong opinions." —*Ross Johnson*

is a staunch supporter of the death penalty and longer prison sentences. He was co-chairman of the largest group that helped unseat Chief Justice Rose Bird and two other liberal Supreme Court justices in 1986.

Like any good Republican, he is for low taxes, less government and free enterprise. He considers one of his crowning legislative achievements a bill that abolished the state Board of Fabric Care, which licensed and regulated dry cleaners and dry cleaning plants.

Johnson is taking over the Assembly Republicans at a difficult time. Only last summer, they seemed to have Democratic Speaker Willie Brown on the run. They had forged a working majority with the Gang of Five to push through tough anti-crime bills long stymied by Democratic control. They had passed measures eventually signed by Deukmejian that expanded the death penalty and, for the first time, gave state and local law enforcement the power to use wiretaps.

But headiness turned to gloom on election night with the loss of three seats. The GOP now can expect to be on the short end of a 47-33 split between the parties when the Assembly returns to full strength later this year.

Under Nolan, some GOP lawmakers felt excluded from decision-making and from choice committee assignments. These dissidents, numbering about a dozen, were angry that Nolan anointed favored candidates in GOP Assembly primaries, doling out campaign funds that could have been saved for use against Democrats in the general election. Nolan also was tarnished by reports that he was a target of the FBI sting investigation and that he had lied to the White House about phony endorsement letters mailed to voters and bearing Ronald Reagan's forged signature.

Johnson came to Sacramento a decade ago, he says, with a firm belief that the public's will was being thwarted by the influence of big-money special interests whose campaign contributions fuel an ever-expanding arms race between the parties. He says that five terms in the Legislature have only reinforced that belief.

More than any other legislator, he has used the ballot box to press his reforms once they have failed in the Legislature.

In June 1984 he was the major fund raiser for Proposition 24, which was sponsored by anti-tax crusader Paul Gann. The measure would have cut the Legislature's budget by one third and stripped the speaker (who, of course, was Democrat Brown) of much of his power to create committees and use office space and staff as a means to reward friends and punish enemies. Proposition 24 passed, but the Democratic Legislature sued and won a ruling from the Bird Supreme Court that it was unconstitutional.

In November 1984 Johnson sponsored two initiatives of his own: Proposition 40, which would have established limits on campaign contributions; and Proposition 41, which would have cut the state's welfare expenditures to the average of the other 49 states plus 10 percent. As other Republicans rejoiced election night in the landslide victory of Ronald Reagan, Johnson was stung by the defeat of both his measures.

"I wasn't discouraged for one moment. I said, 'The issue is not going away, and neither am I. Watch this space. I'll be back.' And I was, and I was successful," he says.

The success came last June with the passage of Proposition 73, campaign-finance reform revisited. It was one of two campaign-finance measures that passed, but since it received more votes than rival Proposition 68, sponsored by Common Cause, its provisions will take precedence.

Proposition 73 — co-authored by Senator Quentin Kopp, a San Francisco independent, and Senator Joseph Montoya, a Whittier Democrat — for the first time in California sets statewide limits on political contributions. It limits donations by individuals and businesses to candidates for statewide and legislative offices to $1000 a year with limits up to $5000 for broad-based political committees. It sets lower limits for candidates for local office. It bans the transfer of funds from one candidate to another, which could weaken the power of party leaders who raise millions of dollars, then apportion the money among candidates in the most hotly contested districts. It bans newsletters mailed by legislators to constituents at state expense and sets a cap of $1000 a year on gifts and honoraria from a single source. It also bans taxpayer financing of campaigns, which was one of Proposition 68's most important provisions.

Politicians in both parties are scrambling to adjust to

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Proposition 73's prohibitions, but Speaker Brown could be among those hardest hit by the new rules. Brown complains it is designed to outlaw the way Democrats raise money. But Johnson insists his purpose only is to create "a level playing field" that takes away some of the huge advantages of incumbency, although many observers feel incumbents will be still further advantaged by the new system.

Johnson grew up in Anaheim, the son of a union carpenter and a Democrat — a Reagan Democrat in today's terms, Johnson says. He acquired an early interest in politics, first knocking on doors and handing out leaflets at the age of 12 for Eisenhower's 1952 campaign.

Johnson was a journeyman ironworker at 16, making more money than his father. He alternated between working full time and attending college, so it took him eight years to earn a history degree from California State University, Fullerton. During a two-year tour in the Navy, he was a hospital corpsman at the Marine base at El Toro.

He was then-Assemblyman Jerry Lewis' administrative assistant for nearly five years, and did a short stint with state Senator Jim Whetmore. He cut his political teeth managing several Republican campaigns.

While he waited for a chance to run for office, he attended Western State University College of Law in Fullerton because his wife, Diane, wanted him to have some occupation other than construction on which to fall back if he was unsuccessful in politics. While studying for the bar examination in July 1977, he was laying the groundwork to run for the Assembly seat being vacated by William Dannemeyer, who was preparing a run for Congress.

Johnson ran an intentionally low-profile campaign in the primary against four other Republicans. He issued no press releases and appeared only at forums where his absence would be an issue. He recalls that he had a limited amount of money to spend, and his opponents had the ability to raise the financial stakes and he did not. "I went out and knocked on literally thousands and thousands of doors. I had a very sophisticated direct-mail campaign, and by the time my opponents woke up to the fact that I was a serious candidate, the election was over," he says.

He was swept into office in the Republican tide that accompanied the passage of tax-slashing Proposition 13, one of 16 freshmen GOP assemblymen that came to be known as the Proposition 13 Babies. Those freshmen made up a majority of the Republican caucus, and within months they flexed their muscle by deposing minority leader Paul Priolo and electing Carol Hallett to replace him.

Johnson has been close to the Republican leadership ever since. He was part of a group called the Cavemen because of their hard-line conservative stance. Both those names — Proposition 13 Babies and Cavemen — are enough to set Johnson off. "I hate that term," he says of "Proposition 13 Babies." "I think it's insulting. I was a full-grown adult when I arrived here. I was not a baby.

"It's just something that's always bugged me. I think the clear purpose behind labeling people like that to avoid having to come to grips with their ideas, and I resent that because I and my colleagues in the Republican caucus represent the legitimate point of view of millions of Californians."

Over the years, Johnson's aggressive bull-dog style has earned him a reputation as a tempestuous orator. He says he is sometimes mystified that spectators think he gets mad during debate.

"I engage in vigorous spirited debate because I've got strong opinions," says Johnson. "Frequently, what I intend only as emphasis is misinterpreted as anger. I grew up in a family where if you weren't hollering, you weren't alive."

But there have been times when he was provoked into anger, and one man who could do it was former Democratic Assemblyman Lou Papan. They had a long history of public clashes. Once, when Johnson demanded an audit of the Papan-led Capitol restoration effort, Papan threatened to take away Johnson's office and move him to a broom closet.

"I don't take very well to that kind of treatment," Johnson said.

Their most famous clash came during the 1983 budget stalemate when Papan, chairman of the Rules Committee,

Statham

Nolan

found crumbs and spilled liquor in a room where Republicans had been meeting.

"You've got drunks in your caucus you can't control," Papan complained to then-minority leader Robert Naylor.

"Oh, Lou, why don't you shut the fuck up," said Johnson as stunned lawmakers and reporters looked on.

Johnson had another retort when Papan suggested he needed treatment for alcoholism: "Bend over, I'll give you a treatment, and it will be a treat, too."

"You're drunk," Papan snapped.

Johnson was widely quoted as shooting back: "I'll be sober in the morning, and you'll still be an asshole." Johnson and others in the room denied Johnson was intoxicated, but the exchange made the front page of newspapers up and down the state. "I'll have to work very hard to make sure that doesn't happen in the future," Johnson now says.

Johnson comes to his new post untainted by the FBI investigation that has tarnished Nolan. However, his name surfaced in Attorney General John Van de Kamp's investigation of the 1986 Reagan letters incident because he refused to answer investigators' questions. He contends the investigation was a "political witch-hunt" by Democrat Van de Kamp and that he was drawn into it because of his sponsorship of Proposition 73, which puts a crimp Van de Kamp's own fundraising and gubernatorial ambitions.

He says he consulted a lawyer and refused an interview request citing his Fifth Amendment right against self-incrimination and other grounds as his reasons. Then he adds emphatically about the letters incident. "I don't know a thing about it."

Johnson has a major task ahead of him, not only in unifying a divided caucus, but in building toward the 1990 elections. With the loss of three incumbents, the GOP's often-stated goal of taking control of the Assembly in time to influence the 1991 reapportionment seems to be slipping away.

He answers a question on that subject with his usual indubitable style: "It's not over until it's over," he says. "Watch this space."

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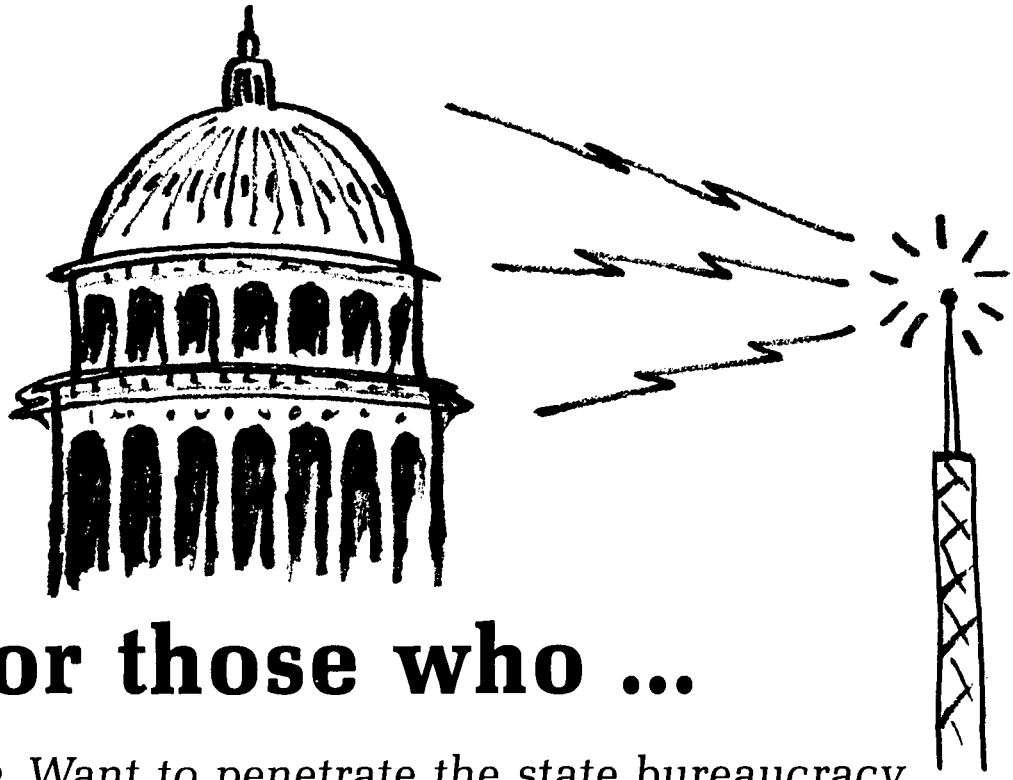

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Senate pro Tem David Roberti

In control of the Legislature's quiet side

By Rebecca LaVally

Photo by Rich Pedroncelli

On election night in November, a square-built, Italian-blooded lawmaker named David Roberti paced the floor of his Hollywood district office monitoring state Senate returns and uncharacteristically shunning proffered snack food.

The Senate president pro tempore was glued to reports of votes trickling in from a swing district straddling the line between Orange and Los Angeles counties — conservative-leaning, blue-collar territory where freshman Democrat Cecil Green was threatened with imminent retirement. Roberti had poured hundreds of thousands of dollars into saving this former mayor of Norwalk from the GOP. He didn't depart the small band of close friends and staff milling about his office until finally convinced of victory around 4:30 in the morning. During the long night, a team from the local newspaper — the *Burbank Leader* — dropped by for an interview and to snap his picture for the next day's front page.

Four hundred miles to the north, Assembly Speaker Willie Brown was holding forth in his ornate Capitol office, serving catered food, soft drinks and liquor to an entourage of 100 or so who trooped by throughout the night — including perhaps a dozen print and television reporters, cameras in tow.

The election-night contrast between the brash Brown and the retiring Roberti is typical of the differences in personal style that characterize their leadership. Each assumed control of his house in late 1980 — Brown with flash and dash to mark the surprise culmination of a prolonged speakership battle; Roberti seeming to just step in one day to depose low-key James Mills of San Diego.

Mills, accused by Roberti of failing to protect Senate Democrats targeted by the GOP, groused that Roberti would "sell his mother if it would advance him politically" and

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Rebecca LaVally is Sacramento bureau chief for United Press International.

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called him "a man with no conscience" — before conceding to him in a letter from San Diego. At the time, some had difficulty imagining what kind of leader Roberti would be or how long he would last. He was a USC-educated lawyer elected to the Assembly in 1966, to the Senate in 1971, had been Senate Democratic caucus chairman and majority leader, but had never chaired a standing committee in the upper house. He was a riveting and fiery orator when moved to debate but could disappear into the Capitol halls, stoop-shouldered, hugging the walls.

Even today he can seem introverted, inattentive to detail, even indecisive. But those who sit in the 40-member Senate, both Democrat and Republican, say the secret of his longevity in the richly-appointed Senate leader's office is his willingness to cater to members' needs. Influential colleagues say the job probably is his as long as he wants it.

Because the Senate president pro tem must share power with the other four members of the Rules Committee, the holder of that job has never been considered as important as the Assembly speaker. But that may be changing. Indeed, it may be the calm that Roberti maintains in the Senate that will make him, this term, a more powerful political figure than ever. With the Assembly balkanized into all-but-unmanageable factions, there is a better chance that new state policy initiatives will come from the state Senate.

Roberti insists that Willie Brown is "still the most powerful person over there." And Brown himself bristles at the idea that he may be being eclipsed by his Senate counterpart.

"I'm still the most powerful legislator," he asserts.

Such debates aside, Roberti's approach seems to satisfy the independent spirits in the Senate.

"He doesn't go for the Willie Brown flamboyance ... but Roberti is very thoughtful. He gives a lot of consideration to problems of individual members and he's always there to help," says Democratic Senator Alfred Alquist of San Jose, Roberti's seatmate on the Senate floor and chairman of the powerful Budget and Fiscal Review Committee.

"He's a great help in analyzing various political issues and offering recommendations without ever imposing any obligations on the (Democratic) caucus to follow a certain line," Alquist added. "When David makes a presentation to the caucus, you can be sure he has analyzed it thoroughly, given a great deal of thought to it, gotten various opinions in addition to his own."

Republicans, even conservatives, seem to have little trouble getting along with Roberti, a liberal who doesn't mind describing himself with the "L" word. Then again, he began his political career as leader of the Young Republican Club in the late 1950s at Loyola University, where he first cultivated his debating skills.

"I think David does an excellent job," says Senate Republican Leader Ken Maddy of Fresno. "He follows his caucus, sometimes, I think, against his better judgment. He keeps things together. We've worked well together. We recognize each of us has a partisan role to play; yet, at the same time, we're concerned about how the Senate appears to the general public. Occasionally, we worry about the fact that we're constantly living in the shadow of the Assembly.

"Frankly, I do not think the Assembly is a very strongly admired group from the public's point of view, and we all get swept up with the same broom, of course," says Maddy.

The Senate, which calls itself the "upper house," for years has looked down its nose at the Assembly, even though many senators got their start there. But 1988 was a particularly bad year for passing Senate bills through a lower house paralyzed by power struggles and policy stalemates.

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"I think people were very unhappy that the leadership challenges were causing bills to be defeated or creating a logjam that we'd thought we'd gotten a handle on in previous years," says Roberti.

He concedes that not only the Assembly, but the lavish media attention focused on its glib leader, can rub him the wrong way.

Brown is cocky, charismatic, conspicuous; the flashy dresser who steals the show; the fast-talking attorney who boasts of deceiving the press. Roberti, 49, cannot make a suit look good, frequently smiles or laughs in nervous shyness but harbors a mercurial temper which he uses to best advantage in his impassioned speeches. The son of an Italian immigrant, he is a man of causes: a childless foe of abortion, protector of working mothers, defender of animal rights. Last October, it was Roberti who persuaded many of the nation's editorial and feature cartoonists to devote their attention to the plight of the homeless on a single day.

Family is extremely important to Roberti. Before his parents came to live in Roberti's Los Feliz house, not many miles from where he was born, he would give their home phone number to acquaintances because he spent so much time there. While Brown, long estranged from his wife, revels in escorting starlets on his arm, Roberti has been married 20 years to the same woman, once his legislative secretary and still a frequent visitor to his Capitol office.

"He's very caring — caring about people, animals, the environment," June Roberti said of her husband in an interview a few years ago. "He loves children, old people. He doesn't talk a lot but he reads a lot. He likes to garden; he likes to cook. He makes pasta from scratch. He doesn't like to clean up the kitchen afterwards."

She added: "I don't think people really see David as being the kind of person he is, one who really cares ... about any living thing; it's just the way he is."

Roberti's supporters say his style fits the Senate, that the iron hand that rules the partisan Assembly would never be tolerated in the more independent Senate. So while Brown spent most of 1988 looking over his shoulder for a chorus of Brutuses, Roberti moved smoothly through another year of stewardship. He chairs the Senate Rules Committee, doling out prized committee chairmanships with an eye toward appeasing his conservative Democratic critics. He keeps dissidents in line with his proven willingness to take back what he has given.

"Sometimes we all make mistakes of equating leadership with power," says Roberti, who suggests the task of guiding the Senate requires its own definition. "It's the amount of time you want to put into a job; it's your ability to persuade; it's your ability to discern the fights you should engage in and the fights you should avoid; the compromises you should make and the positions you must hold firm to.

"There's a finesse. It's not just exercising the power punches you have, although those are important, too. The Senate, being composed of more settled individuals and older individuals and being a smaller body ... I think responds to that kind of leadership fairly well."

Brown set a record for longevity as speaker in 1988; Roberti would have to serve another nine years as pro tem to do so. Will he stick around? "It depends on what day it is; what mood I'm in," says Roberti, who has given at least passing thought to seeking statewide office.

Some days are more frustrating than others.

"Lister, I'm a human being," says Roberti. "When we work hard, when we've done good work in the Senate to put a measure through and I think I've provided the leadership to

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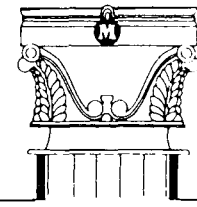

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do it, and some correspondent thinks there's only one legislator (Brown), it rubs you the wrong way. But that's life in the big city.

"I hope the next year in the state Senate is really a year of major public policy performance. That would serve me well."

Roberti also knows how to lead headline-grabbing fights, however; felling controversial appointees of Republican Governor George Deukmejian, for example. Deukmejian was bitterly stung by the Senate rejection, orchestrated by Roberti, of his nomination of former Republican Congressman Daniel Lungren to replace the late Democrat Jesse Unruh as state treasurer.

Despite the sometimes sharply personal tone of their spats, the Senate leader and the governor — himself a former Senate GOP leader — periodically engage in bouts of fence-mending. "In politics, if you hold a grudge ... it eats the person up," says Roberti. "He [Deukmejian] has said some pretty tough things about me, but I may have said some things about him that in a calmer moment I wouldn't have said. He's a very decent person; we just happen to be poles apart politically; therefore we have confrontations. They aren't personal. I've always considered him a good manager."

For all his seeming contradictions, his shyness, his distracted demeanor, his occasional unease, Roberti's Democratic colleagues consider him a good manager, too, in the arena that counts most.

"It was hard to get to Jimmy Mills when he was pro tem," says Ruben Ayala of Chino, one of six conservative Democrats who sometimes vote as a bloc against Roberti's liberal policies. "You can walk up to Roberti, although it's hard to tell if he's listening to you — he's got so doggone many things on his mind. I tell him to write it down; he does. Roberti's been good to all of us. If he's good to you, that's about all you can expect."

Roberti has been particularly good to one consultant, a mystery figure who has hovered around the pro tem in recent years and engendered whispered complaints from those who perceive the consultant as an unabashed influence peddler. His name is David Commons, who earns $5602 a month on the public payroll. Rotund, bespectacled and 70ish, Commons is a former oil industry lobbyist, former Hollywood director, long-time Roberti family friend and wealthy contributor to political campaigns. During Senate floor sessions, he often is seen patrolling the sidelines, buttonholing various senators.

Commons' name first surfaced back in 1985 when United Press International reported that Roberti had given him an office and Senate floor priviledges even though Commons was a paid political consultant for American Medical International. He was described at the time by Capitol insiders as "a felony waiting to happen."

Roberti solved the problem by putting Commons on the state payroll, although his duties remain vague. State Senator Dan Boatwright, a Concord Democrat, referred to him as a "quasi chief of staff" and a plus for the pro tem.

"David Commons is the best facilitator that I've ever met in my life," said Boatwright. "David [Roberti] is very busy and often difficult to get to see on a particular issue. Commons can get a message back on the issue. Frankly, on some of these things, he's been invaluable when Roberti is tied up on other issues."

"He's interesting to talk to," insists Roberti. "I really think it's important to have somebody of his age and viewpoint as an adviser."

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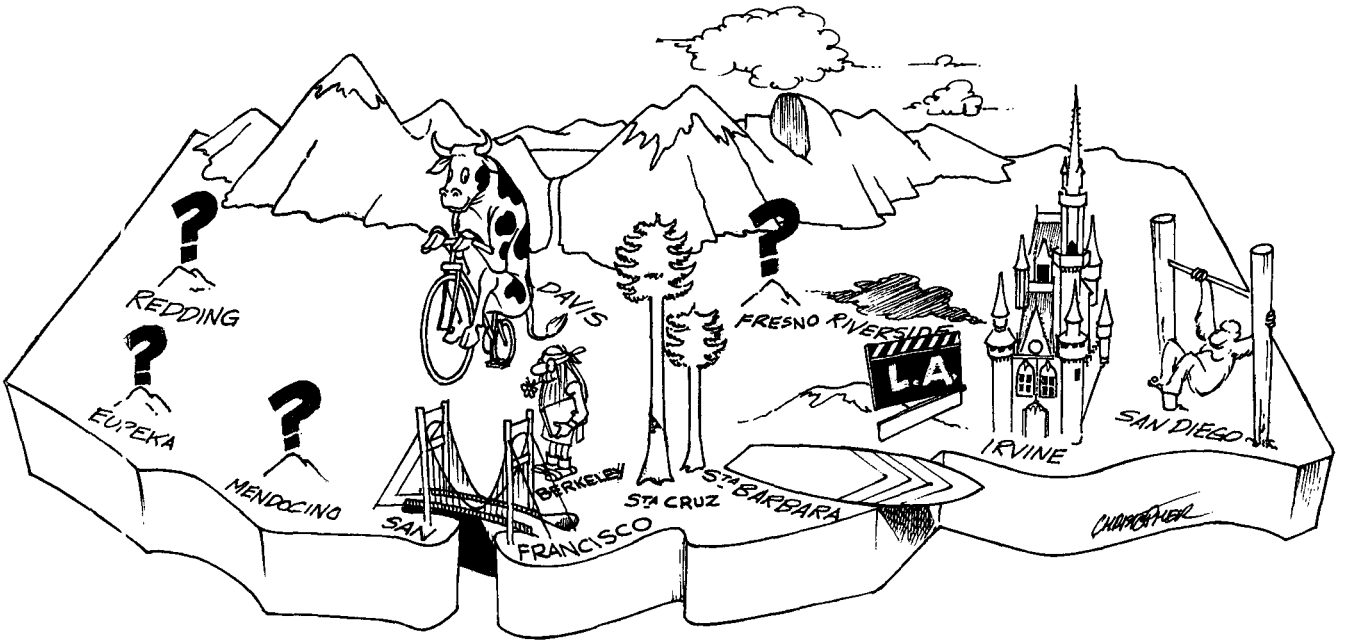

Growing, growing, groan

The race is on for three new UC campuses

By Steven Moss

University of California campuses may soon come by the dozen. At their November meeting, the university regents told university President David Gardner to proceed with his proposal to build three new UC campuses, one opening each year beginning in 1998. The action set in motion a process that could dramatically shape the lives of thousands of students and a few select communities. At stake are such issues as the location of the new campuses and how to finance them. And before chalk is put to blackboard at a new campus, fundamental questions will be raised over the need for the additional campuses and the university's role in higher education.

The decision has already set off an intense scramble by communities anxious to host a university campus. Gardner so far has been vague about the criteria he will use to identify specific sites, but likely considerations include campus accessibility to minorities and a geographical balance between new and existing campuses. University officials acknowledge, for example, that the Central Valley, and Fresno in particular, has been on campus expansion lists since the 1960s. No doubt placement of the campuses will be affected, at least in part, by the need to round up the votes in the Legislature to pay for the new construction.

Driven by projections of rapidly increasing student demand for a university education, pressure for campus expansion has been rising. Total undergraduate enrollment at the university's eight general campuses for 1987-1988 was about 107,048 students, with the largest of the campuses, Berkeley and Los Angeles, tipping slightly past 20,000 undergraduates each. This number is expected to increase by 4.3 percent in 1988-1989, level off somewhat for a few years but skyrocket thereafter: UC un-

Continued on next page

Steven J. Moss is an economic development consultant who lives in San Francisco.

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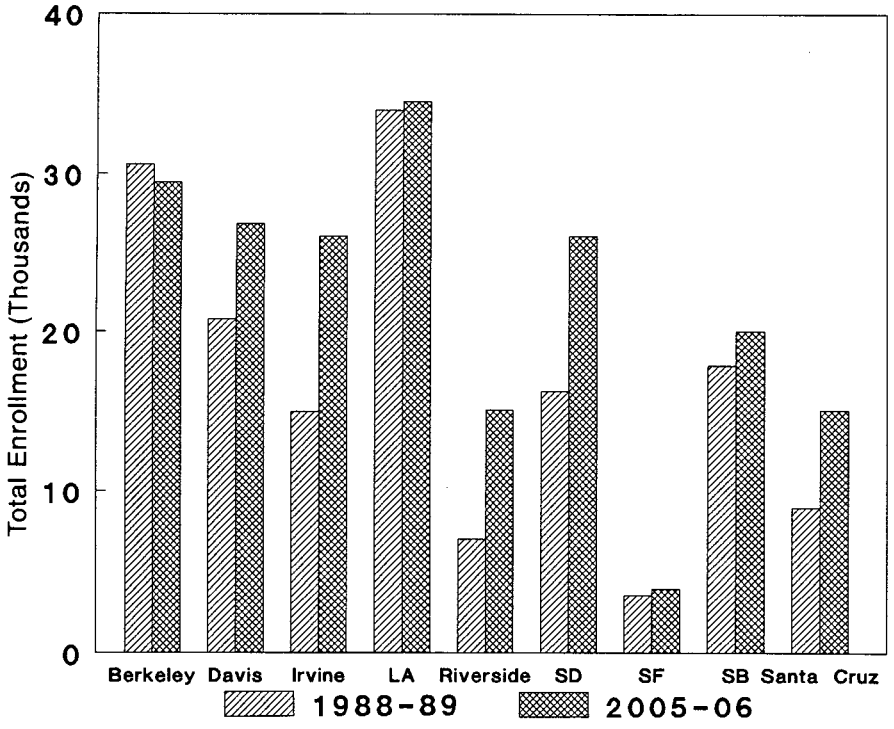
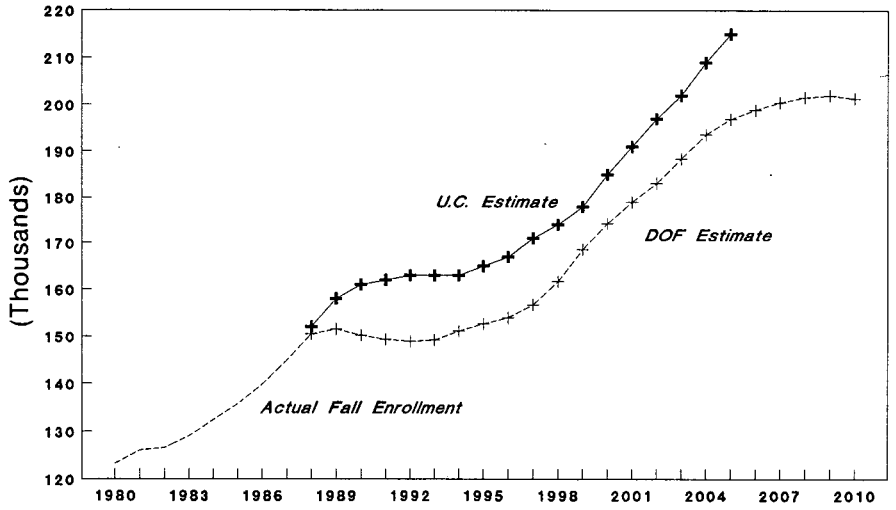
U.C. Planned Enrollment by Campus 1988-89 and 2005-06



U.C. & DOF Estimated Demand for Enrollment 1988 to 2010 Head Count



dergraduate enrollment will have grown 35 percent by the year 2005, according to California Department of Finance projections. The Finance Department expects growth to taper off from there, and projects less than a 1 percent increase in undergraduates from 2005 to 2010 (see chart above for a comparison of Finance and university forecasts of total student enrollment).

The University projects an even more dramatic 73 percent increase in its graduate student enrollment between 1987 and 2005, an estimate at odds with the Finance Department's more modest forecast of 14 percent growth for the period. Univerisity officials base their projections on graduate-student admissions policies. They want to see the percentage of graduate students on campus increase from the current 18 percent to 22 percent. But since graduate students are more expensive to educate than undergrads, this shift will require even more money from the state. In fact, the limits on state money may prove to be the deciding factor. "If they can't get the funding they won't get the graduate students," stated Finance Department analyst Denise Sewart.

Although current projections indicate a growing undergraduate demand for space at a University of California campus, there is disagreement over how that demand should be accommodated. Some say all the new students can fit on the existing campuses, if every campus got as big as UCLA. There is also the possibility that UCLA and Berkeley, both at their maximum size but still very desirable, could grow even larger. Finally, there is the prospect that some professional schools, such as the Boalt Hall law school at Berkeley, could be moved off campus, freeing up room for more undergraduates.

Some higher education experts believe that the university has inadequately examined its current capability to absorb the expected growth in student enrollment. "We need to look more carefully at existing campuses to see if these are realistic limits," stated Kenneth O'Brien, interim director of the California Post-Secondary Education Commission.

"Maybe we could do with two new campuses, maybe we could do with one," speculated UC Regent Jeremiah Hallisey at the October regents' meeting.

Gardner, who had experienced the disruptions caused by rapid campus growth in the early 1970s while he was an assistant chancellor at UC Santa Barbara, conceded to the regents that the choice about campus size is "a judgment call."

Among other arguments in favor of new campuses, university officials maintain that building new campuses is less expensive than expanding existing ones. However, attempts to develop proof of that contention thus far have failed, according to a university official familiar with the expansion program, and outside sources are openly skeptical. "I'd like to see the evidence," stated O'Brien.

But cheaper or not, the expansion option has to be attractive to Gardner because it solves a number of political problems. Asking for new campuses gives him support in the Legislature from lawmakers hoping to have the new campuses in their district. If university officials play their cards right, they might even be able to nail down support for expansion before actually naming the locations. Asking for three campuses gives the university a fall-back position: Officials can always settle for two new campuses, or maybe even one. Finally, by building new campuses, university officials avoid nasty confrontations with some existing campus communities that do not want their local campus to get any bigger.

In Santa Cruz, for example, a local

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Gardner

ballot initiative, pointedly aimed at the university and endorsed by three-fourths of the voters, asserts that "the Santa Cruz community must not be overwhelmed by rapid and large-scale growth."

Santa Cruz and other communities with UC campuses worry about the problems those campuses create. These range from the university's autonomy to its demands on city budgets. As a state agency created by the California Constitution, the university is exempt from property and other taxes which pay for the local services campuses use, ranging from police and fire to sewage. Facing Proposition 13-induced constraints on their budgets, communities are increasingly irritated with what they view as the university's free ride. As in Santa Cruz, in San Francisco "there is substantial community opposition to university land acquisition and loss of more property from the tax rolls," according to a university staff member who has been working on the expansion plans. Davis city officials, too, have adopted strict growth-control rules and react nervously to UC expansion plans.

Local budgeting constraints are not the only cause of tension between the university and its host communities. Courts have repeatedly found that the university is exempt from local planning ordinances. "UC does not even tell the City of Berkeley when it's going to construct a new building," complains Lynne Sutter, a lobbyist assisting the Association of University Communities — a group consisting of mayors of cities with UC campuses. "The ability of an individual city government to directly address [university-induced] problems is impaired by the fact that the university is exempt from local taxes and municipal planning ordinances," stated an open letter to the UC from the association.

But while some communities decry the problems created by having a university campus, or at least having their campus get too big, that has not dampened the enthusiasm of cities that would be only too happy to take the bad with the good. With California communities energetically competing to attract economic development projects ranging from the Superconducting Super Collider to state prison facilities, there is no shortage of suitors eager to host a new university campus. Fresno, Redding, Los Banos, Merced, Stockton, Sonoma, Roseville, El Dorado County, Santa Rosa, Mendocino, Eureka, Fort Bragg, and Ukiah, among others, have all made it known that the university is welcome.

The university has already received inquiries from 22 communities that want to host a campus. These communities want the economic stability, industrial diversity, and cultural contributions they believe a new campus would provide. The university, after all, is a "clean" industry that provides the kind of high-paying jobs most communities would covet. It also attracts similar businesses to the communities where campuses are located because it provides a steady stream of highly educated workers.

"Counties that want campuses see economic growth now, but don't see the problems that will arise 10 or 15 years from now. Then they won't have any control," warned one university staff member working on the expansion plans.

While there is no shortage of communities willing to host a university campus, it is much less clear where the state will find the money for campus construction. The university currently spends about $250 million a year on construction. Building three new campuses would nearly double this amount during the next decade, to $425 million annually, according to university estimates. Some of the money will come from private donations and the federal budget, but fully three-fourths of it will have to come from California taxpayers, most likely through state-issued revenue and general obligation bonds, which so far have been well received by California voters.

But even without the burden of a major construction program, the university faces an enormous and growing appetite for money to finance the educations of students already there. Earlier this year UC Vice President William B. Baker announced, "Just to stay even, with only minor improvements, requires an average annual increase of about $165 million" from now until the year 2000.

UC's projections of its financial demands are making some of its current campuses nervous. Although the largest of the UC campuses, Los Angeles, receives only about a third of its billion-dollar budget from the state, more than half of Berkeley's, Santa Barbara's, and Santa Cruz' funds come from that source. Almost 70 percent of Riverside's 1986 budget came from the state, according to university financial records. With the Gann limit constraining total state expenditures, shifting dollars to new UC campuses could mean less for the existing ones.

On top of these problems, the university is unlikely to get all the money it wants without some debate over how to best educate California's students during the coming decades. Current campus expansion plans may be the last chance in this century to substantially change the university's mission or behavior, and some legislators are eager to seize the opportunity. The draft Master Plan Committee Report, published by eighteen members of the State Assembly and Senate under the chairmanship of Assemblyman John Vasconcellos, who is also the chairman of the Ways and Means Committee, states that "... future physical expansion is an opportunity to define ... what educational values we truly possess." As the report noted, in the past, campus expansions have provided the opportunity "to create alternative educational structures and programs. And so was born Santa Cruz, Irvine, and San Diego."

The Master Plan Committee's reform agenda also includes increased minority access to UC, particularly in the face of the state's rapidly growing Hispanic and Asian populations. Minority enrollment and retention is primarily an issue of equity for the committee, but it also critically affects the university's enrollment forecasts, which are based on the idea that eventually minority groups, which will form a larger and larger proportion of the state's high school graduates, will eventually attend the university in the same proportions as the current crop of graduates.

The concerns of the Master Plan Committee and its emphasis on changing the nature of university education may not prevail in the Legislature as a

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whole. In fact, the trend on the existing campuses has been in the other direction. Santa Cruz, for example, has made some deliberate efforts to become more traditional to attract today's more practical high school graduate. In fact, most lawmakers appear comfortable with the fundamental principles governing UC tuition and access. Although some legislative and university staff informally advocate tuition increases for students who can afford higher fees, "there would be a big fight over any fee increases," stated Pamela Spratlen, consultant for the Assembly Ways and Means Committee.

Neither is the Legislature likely to challenge the requirement in the state's Master Plan for Higher Education that the top 12.5 percent of each high school graduating class be eligible to attend a university campus. The actual percentage of high school graduates attending the university has steadily increased over the past decade, from 5.2 percent in 1978 to 7.7 percent in 1987, primarily by students who cannot afford the tuitions at private schools they might have attended in the past. Although reducing student participation rates to their historic levels would eliminate the need for new campuses, this option is not being contemplated. "The current eligibility pools are *de facto* entitlements," the Master Plan Committee announced, placing a university education beside MediCal and Social Security as rights of California citizens.

Other alternatives to adding new UC campuses exist, but they are unlikely to be seriously considered. "If we were being creative we would make better use of our community college system, and alter our approach to the California State University system and UC. But these things are very difficult. So we will build another campus," noted Spratlen.

UC's proposed expansion will be an opportunity for a number of political forces to air their grievances, and to test their strength against California's system of higher education. So far the university has had a history of getting what it wants. As Tom Hayden, chairman of the Assembly Subcommittee on Higher Education, put it in his report, *Beyond the Master Plan*, with "over 100,000 [students] at UC, more than 325,000 at CSU, and 1.2 million in the community colleges — together with their families, [these schools represent] an awesome constituency." But in the Gann limit on overall state spending, and scarce public resources in general, the university and its backers may have met their match.

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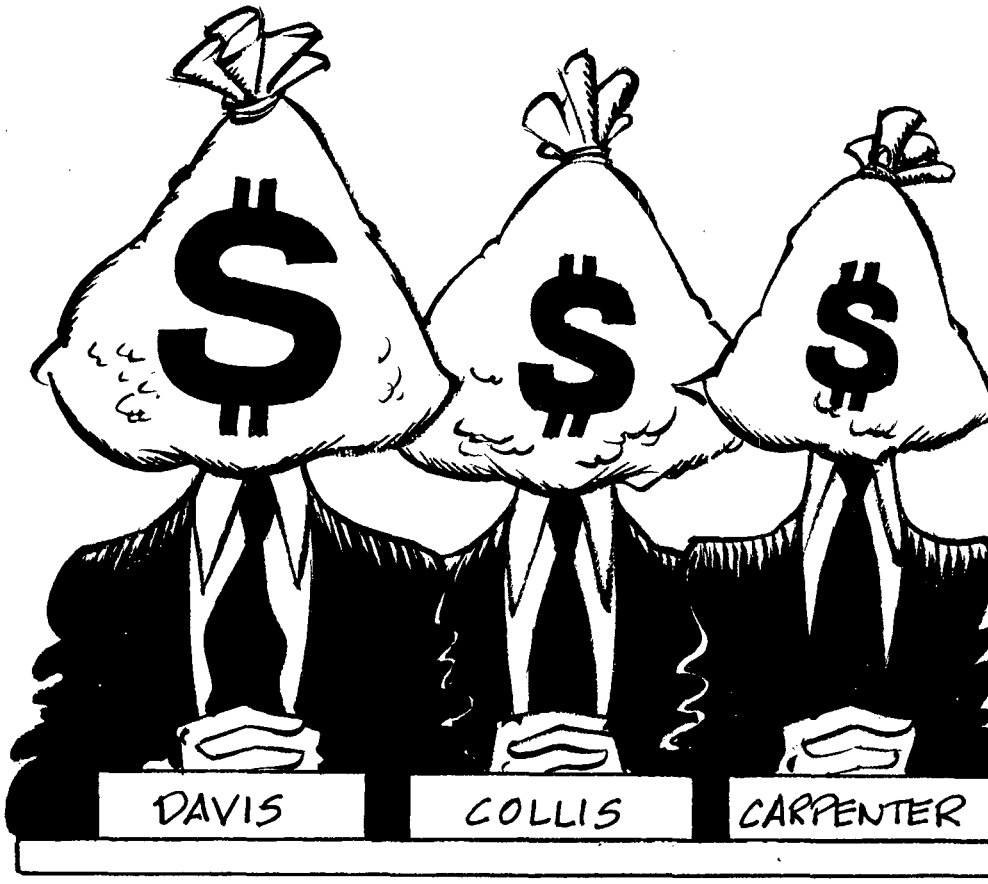

Has politic
the State Board

By G

The home burrow for an odd vestigial creature called the State Board of Equalization is entered through swinging doors in the Consumer Affairs Building near the Capitol in Sacramento. Two receptionists work at multi-button phones and computers below a large designer wall clock mounted on inlaid wood. Some of the clock's hour numbers are missing. No matter. It is always the right time for business and politics in this many-tentacled agency rooted in the California Constitution for almost 110 years.

A decade ago the Board of Equalization was a quiet eddy of elective state office. A Board seat was good for life if desired. George Reilly, an Irish Democrat from San Francisco, served 11 terms — 44 years — until his retirement in 1982 at age 79. Reilly's seat was then seized by a savvy, ferociously ambitious new-think whiz kid named Conway Collis, then 34. That ended the good old days among equalizers.

Suddenly, puzzlingly, that Board became big time and big money, as politicized as the state Legislature. The Board — with four members elected from districts, plus the state controller — was born in the 1879 constitutional convention. Its original function was to enforce uniform property valuation in the state's counties and to assess the railroads, which had been electing county assessors and setting their own taxes.

Today the Board administers taxes yielding revenues of more than $17 billion a year. It sets the value of all privately-owned utilities, including railroads; collects the sales tax, liquor taxes, cigarette tax, motor-vehicle fuel taxes and insurance taxes; oversees county assessment practices, and hears appeals from county business-tax assessments and Franchise Tax Board-levied income taxes. Its obscurer functions include taxing privately-owned railroad cars like the late Lucius Beebe's "Virginia City" and publishing 69 tax guides such as "Tips for Locksmiths."

In 1924 the Board occupied two rooms in the State Capitol and employed a staff of six, including the executive secretary, and owned one car — a seven-passenger Studebaker. Board members earned $4000 per year.

Today the Board fills most of a six-floor, half-block building at 1020 N Street in Sacramento and has field offices in 55 California cities, in New York City, Chicago and Houston. It has a staff of 3000 and a fleet of 82 cars. A Board member's salary, only $25,000 in 1971, is now $85,402 — $402 higher than that of the governor — plus an automobile, expense account and air-travel and gasoline credit cards.

By 1986 those numbers appealed to state Senator Paul Carpenter, a Cypress Democrat and a wily politician who specialized in fund raising for himself and for the Democratic caucus, and who was uneasy about survival in his

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Gale Cook, retired as the Sacramento Bureau chief for the San Francisco Examiner, *currently does some freelance writing and plays a lot of golf.*

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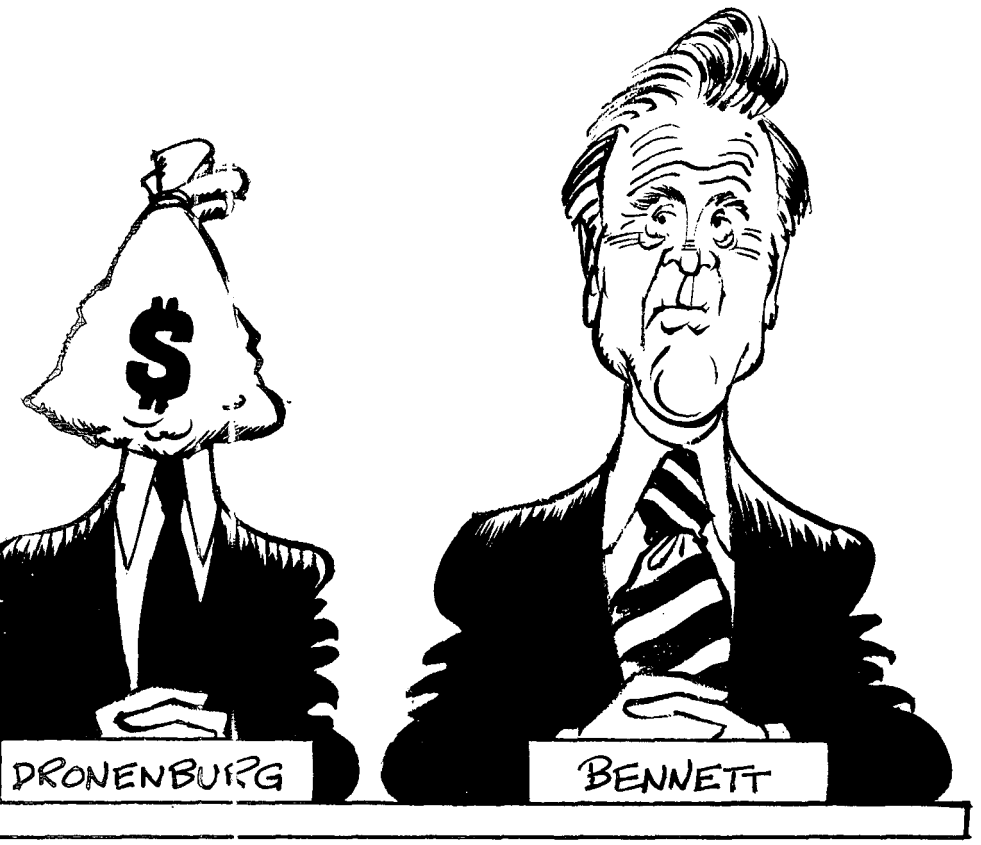

tarnished
f Equalization?

Cook

increasingly Republican district in Orange and Los Angeles counties. He jumped ship when Richard Nevins, a 28-year equalizer, decided to retire on his $186,386-a-year pension. Carpenter, who is 60 and a psychologist, moved to Downey, took a mid-term free ride and captured the Board's dense Fourth District seat representing south-central Los Angeles. His campaign cost him about $600,000.

Carpenter then allied himself with Collis and the Board's only Republican member, Ernest Dronenburg of San Diego, against the fourth and senior member — liberal, old-line Democrat William Bennett of Kentfield. Carpenter urged a friendlier attitude toward big-business taxpayers and backed a shake-up of the agency's senior staff that was led by Collis, saying the staff "would tax the smile on the Mona Lisa if they could figure out a way."

But Carpenter has been mostly silent of late. The hush fell after news reports connected him with an on-going FBI investigation, begun in 1986, of suspected corruption in the Legislature. He had accepted $20,000 in campaign contributions from a bogus firm set up in an FBI sting intended to show a venal link between political donations and special-interest bills. His one-time Senate aide was implicated in the sting and became an FBI informant. There have been no formal accusations of elected officials, although a former Yolo County sheriff's appointee has pled guilty in a plea bargain in exchange for helping the investigation. FBI agents have also visited the Board itself and, in late December, impounded records and date books from Carpenter's office dating back to his years in the Senate.

Until recent years and events, the Board was largely ignored by the news media. Months might pass without a reporter attending a Board meeting. Now it is closely monitored, and the media attention may have hurt Dronenburg, the current Board chairman, who had hoped to become state treasurer. After the death of Jesse Unruh, Dronenburg confided that he was on Governor George Deukmejian's "short list" of those considered for the treasurer appointment. Carpenter reportedly assured Dronenburg of Senate confirmation. But the governor named an old friend, Congressman Dan Lungren, who failed to be confirmed, and the nod eventually went to a caretaker — Auditor General Thomas Hayes.

What is the allure of a seat on the Board of Equalization? Not one in 100 voters can name a Board representative. Although 10 state legislators have moved to the Board, no one has ever gone from the Board to higher office. (No fair counting R.H. Beamer, who left the Board in 1906 to become mayor of Woodland.)

The Board's secret attraction is explained by independent state Senator Quentin Kopp of San Francisco, who fantasized himself on the Board in 1982, when Kopp was a San Francisco County supervisor.

"That was sold to me by my political advisor, Clint Reilly, as an appropriate office for someone like me, experienced in fiscal matters," Kopp said. "He believed it would be a logical prepara-

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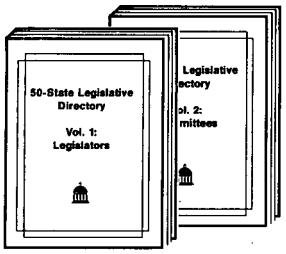

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tion for a statewide fiscal office, a step to controller or perhaps treasurer. I almost ran. I'm glad now I didn't."

Kopp backed off after seeing state politics at work in Beverly Hills where Conway Collis, then a Santa Monica lawyer and fund-raising aide of U.S. Senator Alan Cranston, wanted to run for an Assembly seat being vacated by Howard Berman, who had his eye cast on a seat in Congress. Unfortunately for Collis, Gray Davis also coveted Berman's Assembly district. Collis was told to settle for the Board.

Four years later, Davis was elected state controller, and Collis was beginning a second term on the Board. Employees picture Collis as Rumplestiltskin in a staff meeting, stamping his feet and shouting: "Goddam it! It's up to you to get me elected to some higher office. I don't care what the hell it is."

Probably apocryphal, but when asked where he is going politically, Collis replied genially, "Any suggestions?" He then added, more seriously, "I'm in the process of making some decisions about 1990. I honestly don't know what I'm going to do yet." Treasurer? Controller? Attorney general?

"If the Supreme Deity were an elected office, he'd be running for it," said Bennett of Collis.

Collis said his background in politics with Cranston made his election to the Board "more open to charges of being political." Campaign contributions, many from businesses that come before the Board, support that view. Collis reported donations of $994,024 in sums over $50, collected from January 1, 1986, to July 30, 1988. Carpenter in the same period listed contributions of $849,968. Dronenburg reported a total of $140,229. Bennett, on the other hand, has not accepted campaign contributions since his first Board campaign in 1970, when he spent $6969.

"Once I was elected, there really began to be a battle with some of the old line, the old-boys network staff that were hell-bent on collecting revenue regardless of fairness or equity to the taxpayer," Collis said. "I was not willing to go along with the old system of basically having an auction up there."

Golden handshakes were given to older staffers. The three chief executives retired or were removed. And there was an aborted attempt to give the top job to Lou Papan, the former Assembly Rules Committee chairman who lost a 1984 race for the state Senate to Quentin Kopp. Reports circulated that Papan was being urged on the Board by Assembly Speaker Willie Brown, Papan's old Assembly ally.

"A smokescreen," Collis called it, denying he favored Papan. The new boss is Harvard-trained Cindy Rambo, former chief executive officer of the Oklahoma Tax Commission. Her salary is also $85,402.

It now began to appear, in the opinion of county assessors, that heralded Board policy of taxpayer equity meant favoring utilities and big businesses, thus reducing already shrunken local-government revenues. And, said critics, there was a connection between this new attitude and campaign donations to some members.

Board utility assessments were examined by reporters from the *Sacramento Bee*. This was the record on 1987 utility rolls, with Carpenter, Collis and Dronenburg voting "aye," Bennett "no," and Controller Davis abstaining: Staff-recommended assessed valuations for PG&E, Pacific Bell, General Telephone, Southern California Edison, Southern California Gas, San Diego Gas and Electric, AT&T Interstate and MCI were reduced $1.85 billion. The resultant tax revenue loss to counties, cities and special districts was $20 million.

There was a replay last May 30th, when the Board voted on 1988 utility assessments. PG&E, for example, heard the Board fix its property tax valuation at $16.4 billion — $600 million below the Board staff's recommendation and $500 million below PG&E's own estimate. Tax savings to PG&E: $5 million.

Public records show that big utilities contributed at least $161,931 to Board members between 1983 and 1987. Utility assessments were reduced $5.5 billion from staff recommendations during that period, with resultant loss of $61 million in tax revenue. Carpenter and Davis were not on the Board until January 1987. Collis said he had not accepted utility company donations since that time.

Another controversy concerns a 1984 Board ruling that county assessors said was designed to help Orange County's Irvine Company and other big developers. When tycoon Donald Bren bought out his Irvine partners, the county assessor reassessed the property under terms of 1978's Proposition 13, fixing the value at $3.2 billion. Company officials said the assessment should be the purchase price of only $1.2 billion.

Dronenburg proposed an amendment to property tax rules that shifted the burden of proof in such cases from the purchaser to the assessor. Unless the assessor could prove otherwise, the sale price would be the assessed value. Bren was a big contributor to state polit-

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ical campaigns, and the Board hearing disclosed that a former Dronenburg staffer had helped draft the new rule. It was adopted 3-2 on favorable votes from Dronenburg, Collis and then-Controller Ken Cory.

William Lynch, then chairman of the state County Assessors Association, testified "The rule creates an opportunity for fraud and collusion (by big interests) ... a false selling price." In the end, the Irvine Company negotiated a $2.9 billion assessment, saving itself $15 million a year in taxes.

The new-look Board's recent history is rife with disputes and charges of money-linked favoritism, ranging from tax breaks for the Robert Schuller Crystal Cathedral in Garden Grove to a tax-liability reduction for BBK, a big hazardous-waste site operator.

At 70, the conscientious Bill Bennett enjoys a role as the Board's public guardian. He equates contribution-linked Board votes with dishonesty, blaming the campaign-funding system.

"In the whole state, it's pervasive. It's the moral tone of California's government today. And those who set the example are found in the California Legislature," Bennett said. "Would this country permit the U.S. collector of internal revenue to be an elected public official? The idea is absurd. Yet, in California, we have this system where the tax collectors have the power to extract campaign monies from the people over whom they have jurisdiction."

This year, Senator Kopp carried a bill that would forbid a member of the Board from voting on decisions involving campaign contributors who have given them $250 or more during the previous year. The bill struggled to the Senate floor but was sidetracked to the Elections Committee. Opponents said it would deadlock Board proceedings. The bill died without a vote in a rump committee meeting held during a dinner recess, after testimony by Collis that the bill was unfair unless applied to the legislators as well. In the hallway afterwards, Dronenburg told the Associated Press that the bill would diminish Board members' ability to attract contributions.

"Why would they want to contribute to me if I could not vote for their issue?" asked Dronenburg.

Since 1927 seventeen state studies have recommended either abolishing the Board or removing many of its functions. The latest was the 1985 report of Governor Deukmejian's blue-ribbon Tax Reform Advisory Commission, which said:

"The Commission recommends the establishment of a consolidated Department of Revenue and the concomitant elimination of the two existing organizations: The Franchise Tax Board and the Board of Equalization ... The Commission also recommends the establishment of a tax court to which appeals from the Department of Revenue would be heard."

The Little Hoover Commission in May 1979 recommended a tax court system, saying that the Board of Equalization's dual role of tax administrator and appeals board "creates the appearance, if the not reality, that appeals to the Board are not considered with impartiality and objectivity."

Backed by the State Bar, former Assemblyman John Knox pushed a tax-court measure through the Assembly in 1980, but it died in the Senate Judiciary Committee. Senator Kopp said he is ready to try a similar bill in 1989.

"The Board ought to be abolished," he said. "What we should have instead of this political board is a state Department of Revenue under the governor, combining the tax-collection functions of the Board of Equalization and the Franchise Tax Board, plus a three-member tax court like the U.S. Tax Court. A bill to accomplish that will be a high priority with me next year."

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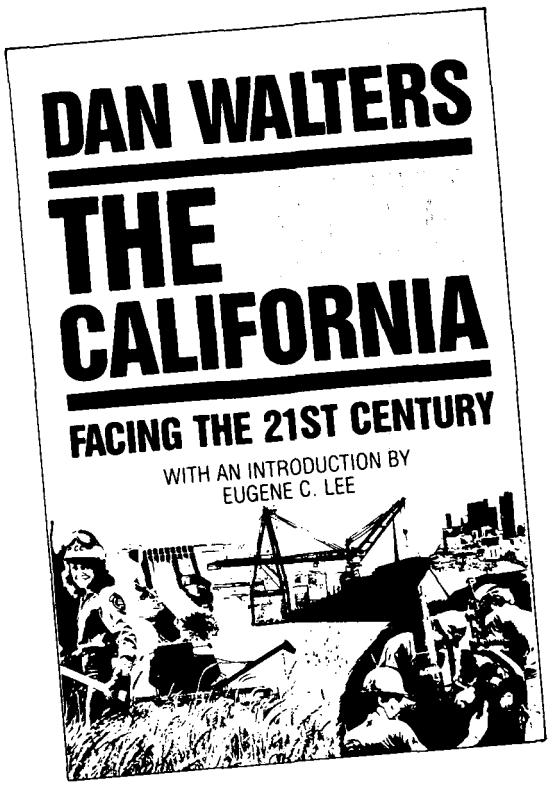

The New California — Facing the 21st Century

by Dan Walters

with an introduction
by Eugene C. Lee

The *Sacramento Bee's* well-known political correspondent, Dan Walters, recently completed a 9000-mile odyssey through California's 58 counties which resulted in a 15-part series in the *Bee*. The articles describe the socioeconomic future of the nation's largest state and the political implications of these trends. This lively and insightful series will be available in book form June 15th. The 180-page book contains numerous charts with detailed political and demographic data. Price: $8.95.

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The paradox of Gray Davis

By A.G. Block

At noon on January 5, 1987, a bevy of Democratic assemblymen lingered in the back of the Senate chamber, watching Joseph Graham "Gray" Davis III take the oath of office as California state controller. They were not there to cheer for a recent colleague, however. As one member wryly remarked, "We're here to make sure he's gone."

The aside was only a half-joke. During his two-term career, Davis was not among the most popular members of the Assembly. His colleagues considered him a lone wolf who used the lower house as a way-station on the road to greater political glory. They regarded him as a brazen money-raiser in a house not known for modesty among its members when it comes to fund raising, and as a shameless self-promoter who could extract political gain from sensitive and heart-rending issues like missing children. But they also accorded Davis a grudging admiration for the way he was able to grab a bigger brass ring after less than four years in elective office.

Davis admits that some of the criticism of his past behavior is valid. But the 46-year-old controller insists that he's a changed man who has learned from his mistakes and grown both as a person and as a politician.

"I am a pussycat," he said recently. "And anyone who has dealt with me over the past couple of years would so attest."

But Davis is more paradox than pussycat. People who know him in his most recent incarnation, as controller, may praise him. But friends and associates who knew earlier versions — Davis the preppie; Davis the Stanford golfer; Davis the chief of staff to Governor Jerry Brown; Davis the assemblyman — tend to disparage him (see "Gray Davis," *CJ*, June 1984).

As a politician, Davis often accomplishes good for the state. But he receives precious little credit for it because, in part, his motives and sincerity are constantly questioned. He often brings this skepticism upon himself by making curious decisions about which of his works to publicize and how to go about it.

His championing of the cause of missing children is a case in point. Davis latched on to that issue while a member of the Assembly, spearheading the drive to have pictures of missing children placed on billboards, grocery bags and milk cartons. It was a multi-million dollar effort, fueled mostly with private money, that has thus far reunited more than a 20 children with their families. It was a mom-and-apple-pie issue, and to be associated with it — indeed, to be one of the major catalysts for it — should have produced a sugary-sweet afterglow.

For Gray Davis, the effort resulted in some personal satisfaction, and a minor black eye. Davis' motives were questioned because missing children was such a high-visibility issue. It was also an emotionally charged issue, fraught with the anguish of frightened and desperate parents. Davis was accused of exploiting that anguish for political gain. The campaign also was accused of creating a kind of kidnap hysteria by blurring the distinction between the kinds of child-takings involved (by far the greatest number are children taken by a parent involved in a custody dispute, as opposed to children snatched at random) to produce a bleaker picture of the problem than actually existed. Later, Davis seemed to confirm the worst suspicions about his motives by first claiming he would never use the missing-children campaign for political gain, then wallowing in it during his quest to be state controller.

Continued on next page

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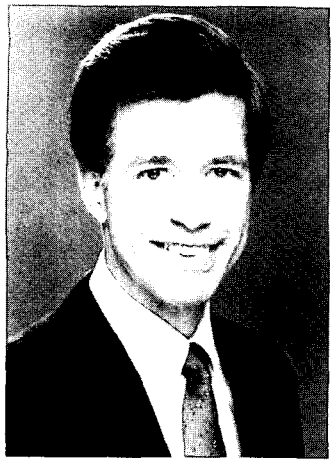
Since becoming controller, Davis has been a tough and consistent champion of California's environment, yet he has rarely tried to promote his role. Last Fall, for example, he donated nearly $1 million from his campaign warchest to support Proposition O, the Los Angeles County measure to prevent Occidental Petroleum from drilling off Pacific Palisades. The measure was approved, but Davis stayed mostly in the background when it came to grabbing credit.

Another example is buried in his settlement of a state lawsuit against Bank of America over a bank practice of wip-



Davis

Van de Kamp

ing out dormant accounts with service charges. Although the suit was brought by Davis' predecessor, Ken Cory, Davis negotiated a settlement which netted refunds amounting to $36 million for approximately two million depositors. Davis spread the word about the refund through a television ad featuring — ta, da — Gray Davis. The commercial was part of a public-awareness campaign that cost $1 million and, by the way, provided some free publicity for the controller. Davis used the opportunity to take a shot at an easy target, Bank of America, accusing it of a customer "rip off." The commercial triggered a sharp retort from the bank and became the centerpiece of criticism that the controller had blown a modest issue out of proportion for self-promotion.

Lost in the hoopla was an important part of the deal, one for which Davis was responsible: the deeding to the state of more than 40,000 acres of environmentally-sensitive land, including a redwood forest in Santa Cruz County. The land, worth more than $17 million, is now park land managed by the Nature Conservancy. The precedent-setting debt-for-nature swap went almost unnoticed as Davis chose a controversial way to promote the refund.

Nor was this the first time Davis seemingly by-passed the chance to publicize this kind of image-enhancing deal. In 1987 he was involved in negotiations with Summa Corporation over settlement of taxes owed by the estate of the late Howard Hughes. Those negotiations netted the state one of the last undeveloped tracts of land in Los Angeles, near Playa del Rey, which became an addition to the Ballona Wetlands.

"The perception of him [Davis] as a opportunist spins off the missing-children issue," said Karen Caves, Davis' former press aide who left to handle press for Proposition O. "When he's making a legitimate statement or sending a legitimate message, he doesn't get fair coverage. Gray believes deeply that there are problems that need to be corrected, but he's often in a hurry."

Caves cited the missing-children campaign as one place where Davis was so much in a hurry to solve the problem that he often went overboard. But, she said Davis' critics were hard-pressed to say what was wrong with the missing-children issue, except that Davis was involved.

"Doing press for him [Davis], you had to constantly fight his past image," Caves said. She added that Davis also displayed an uncharacteristic reticence about promoting one part of his past that many politicians would not hesitate to exploit: his service as a decorated Army captain in Vietnam during the late 1960s. Although Davis has mentioned it in brochures, he has been low-key on the subject.

"Gray is one of the few Vietnam vets in California politics," Caves said. "Yet he never talks about it and never brags about it. As political staff, I thought it was a good thing, and he finally had a showdown with me on it. In effect, he said it wasn't appropriate to make something of it because what he did there was a lot less than what many others did. He showed a lot of humility on this subject, a humility that few people see."

As with most ambitious politicians, humility is not a word normally associated with Gray Davis. To the contrary, many observers say that his main strength is an ambitious aggressiveness and pugnacity that allows him to bring the same chutzpah to raising both money and issues. Chutzpah, however, is not a much-admired trait. It tends to draw attention. And since January 1987 Davis has had his share of attention — most of it negative.

Soon after becoming controller, Davis became embroiled in a spat with Governor George Deukmejian over office space in the Capitol (see "Exiled from the Capitol, *CJ*, February 1987). In years past the controller had maintained a smallish suite of offices near the Capitol's east entrance. But Davis' predecessor, Cory, gave up that suite after arranging to lease several floors of an 18-story building less than a mile away — with a sweeping-view penthouse for himself. Davis, who didn't think the view as important as staying close to the political action, sought to remain in the Capitol office. The governor instead turned the controller's suite over to Leo McCarthy, the Democratic lieutenant governor.

Davis responded by moving out of Sacramento altogether, preferring to headquarter in Los Angeles. The move was seen by some as petulant after Davis admitted that he would not have left Sacramento had he been allowed to remain in the Capitol. Not that his move to LA was all that unusual; Davis' home is there, and other statewide constitutional officers also maintain headquarters in their home cities. Still, Davis remains stung by Deukmejian's refusal.

"The controller should have an office in the Capitol," Davis said. "He's the one elected official whose primary role is to watch the money. There is a significant difference between being in the Capitol and being seven blocks away. The business of the Capitol is dynamic and frequently spontaneous. If you're in the Capitol, you can participate. If you're seven blocks away, you might as well be seven counties away."

On another front, in August 1987 the *Los Angeles Times* reported that Davis had used state employees and resources to help raise money during his 1986 bid for controller. If the allegations were true, and if Davis' actions were deliberate, it meant he had misappropriated state funds and was guilty of embezzlement. The state attorney general's office investigated the matter and issued its findings in October 1988. Essentially, its report agreed that Davis' campaign improperly used public resources. However, it went on to say that "there is insufficient evidence of necessary knowledge or criminal intent to warrant filing criminal charges."

Davis absolves himself of any wrongdoing. "I made clear to my staff that state and political time was to be kept separate," he said recently. "I had every right to believe that my in-

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structions were being followed. When I discovered that wasn't always the case, I bent over backwards to make sure the state was not shortchanged."

Bending over backwards meant writing reimbursement checks to the state that totalled $28,000. The problem, Davis said, occurred at his Assembly district office in Tarzana, an office he says was devoted to solving constituent problems and one he managed "by exception."

"If there was a problem, they would call me," he explained. "I did not visit that office at all in 1986."

But aides who worked in that office, and who admitted using state resources for the campaign, told the *Times* they did not see how Davis was unaware of their activities. "Gray kept a tight control over everything, from every check written to every order given," a former Davis employee told the *Times*.

The attorney general's investigation had political as well as legal overtones. The attorney general is none other than John Van de Kamp, who has already formed the rudiments of a gubernatorial campaign and is seen as Davis' chief rival should the controller decide to seek the 1990 Democratic nomination for the state's top job.

Davis also squabbled with another Democrat who until recently was seen as a potential gubernatorial rival — Superintendent of Public Instruction Bill Honig. In July 1988 Davis issued an audit showing that, based on a study of 12 districts, California schools were top-heavy with administrators and that the salaries of those extra managers could provide funds for 200 more teachers. Honig reacted angrily, accusing Davis of "cooking" the numbers in his study for the sake of publicity.

The controller backed his study and pointed to a separate audit by the auditor general that revealed similar results. "Every audit in this office is done by professionals who have been here for years and will be here long after I'm gone," Davis said. "I didn't see the numbers in that audit until it was completed. Criticism of me hasn't dealt with the issue."

But that last complaint may be the lot of Gray Davis: criticism of him rarely deals with the nuts-and-bolts of issues because he is often seen as a politician who uses problems to enhance his personal reputation rather than one who uses his reputation to solve problems. What he does is made suspect by who he is, a dilemma that may plague him as he approaches 1990.

The elections of 1990 loom in the not-too-distant future and Davis must soon decide what road he will take. The next obvious step "up" is the governor's office. But that road may become cluttered with traffic during the next few months. George Deukmejian is expected to announce early in 1989 whether he will seek a third term. Attorney General Van de Kamp has a ready formed a fund-raising committee and hired a media consultant in preparation for his run for governor. That consultant, by the way, is Bobbie Metzger, who until recently was working for Davis and has worked with him since Davis' days as Jerry Brown's chief of staff. Honig, another potential rival, bowed out, preferring instead to seek reelection as schools' chief. But former San Francisco Mayor Dianne Feinstein is also considering a run after the Democratic nomination.

Davis said recently that he has not made up his mind whether he will seek reelection as controller or try to move up to governor. There is also the possibility that Davis might want to step into Van de Kamp's job rather than challenge him. To *not* run for higher office would be uncharacteristic for a politician whose entire career thus far has been marked by overt ambition. It is clear Davis wants to be a player. It also is clear that he sees himself as the one pragmatic leader who can mobilize voters to solve the state's problems.

"State government is irrelevant to most people," he said. "But the citizens we serve need to be part of the solutions. To be an effective leader, you need to look beyond the traditional roles of government to the potential and creativity that lies in Californians themselves. There is a lot of common sense out there, and you need only reach for it and know how to use it once you find it."

Davis claims he can find it as a self-proclaimed advocate for the middle class. "These citizens are overlooked in Sacramento," he said in remarks reminiscent of John Kennedy. "They don't have expensive lobbyists, yet they bear the brunt of the tax burden and have to cope with worsening traffic and pollution problems and a deteriorating environment."

For other Democrats in California, Davis at this point is like a U-Boat. No one quite knows where he will materialize, and everyone is watching to see where he surfaces because he has a lot of firepower (money-raising potential) at his disposal and can cause great havoc with the plans and ambitions of other politicians. How and when to use that firepower to maximum advantage is something Davis learned firsthand back in 1974 when another U-Boat of note — the late Jesse Marvin Unruh — surfaced suddenly in Davis' pond and torpedoed his bid to be state treasurer. It is a lesson that has tempered Davis' ambition with caution and calculation. The bet is that the final calculation will push Davis toward the governor's office.

In that quest, Davis' primary obstacle may prove to be himself and his reputation.

BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 372,178 valid signatures; constitutional amendments require 595,485. In parentheses is the deadline for sponsors to submit signatures to county clerks. If measures receive the necessary signatures, they will appear on the June 1990 ballot.

Continuing in circulation:

PEACE — an initiative statute, sponsored by Reverend Glenn Rice Msmere, that proposes that Congress be given the express power to declare peace, just as it is allowed to declare war. The initiative would mandate the state Legislature to pass a resolution to this effect. (January 23rd)

TICKET SELLING — an initiative statute, sponsored by Tom Yates of Los Angeles, that would require the purchase price of tickets to various entertainment and sporting events be displayed prominently on the tickets. Among other provisions, the measure would require that ticket sellers be licensed by counties. (February 21st)

CRIMINAL LAW — an initiative constitutional amendment, sponsored by the Crime Victims' California Justice Committee of Los Angeles, that would make various changes in the state constitution regarding criminal law, including allowing heresay at preliminary hearings; limiting the accused to those constitutional rights guaranteed in the federal constitution; and allowing more joined actions. The measure would also make statuatory changes, including expanding the definition of first-degree murder; expanding special-circumstance murders subject to the death penalty; allowing minors to be sentenced to life without parole if convicted of first-degree murder; and limiting jury questioning. (March 2nd)

Source: secretary of state's office

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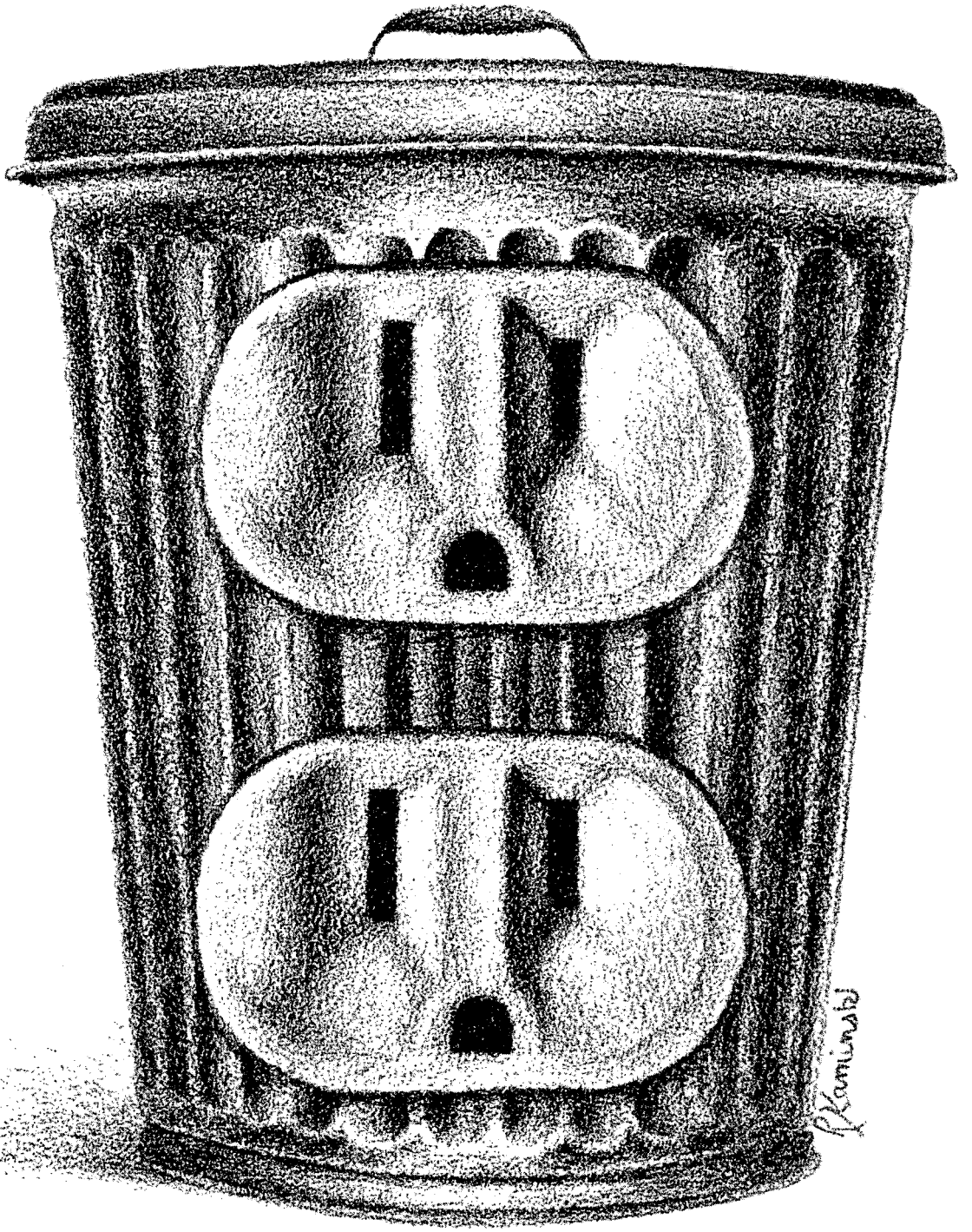

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Trash into power?

NOT IN MY BACKYARD

By Kathleen Grubb

After the 1973 oil embargo left American motorists fuming in lines at gas stations and the nation alarmed about its dependence on foreign energy supplies, the alternative-energy slogans of back-to-the-land and small-is-beautiful ecologists caught on with mainstream politicians and entrepreneurs. The federal government held out new carrot-and-stick market incentives, and high-technology versions of old-style power generators encouraged ecological entrepeneurs to farm backyard kilowatts from the wind, the earth's own steam and even growing piles of garbage.

In California, which sits on top of the national heap in solid-waste production with 37 million tons of refuse a year and faces a looming landfill crisis, an old idea of the garbage burner in a high-fangled package and a new name of waste-to-energy incinerator became the darling of local governments. Together, cities, counties and garbage haulers churned out designs and sought permits for 40 plants they said would generate electricity while virtually turning trash into thin air.

Instead, most of the proposed cogenerators never materialized. Only plants in the City of Commerce, Long Beach and Stanislaus County are operating. The other 37 died on their drawing boards, vanquished by a fickle energy market, environmental concerns and citizens who smelled something rotten in the smoke of garbage-into-steam disappearing acts.

"The economic feasibility and attractiveness of these facilities has just crashed," said Yvonne Hunter, a lobbyist for the League of California Cities. "....The difficulty of siting these things has just been horrendous."

Proponents and foes of the plants agree that a petroleum glut, a ready supply of cheap hydroelectric power and the end of federal incentives for utilities to buy power from small generators priced many of the trash burners out of the market. Moreover, public protests and questions over toxic ash and air emissions in a state with a smog-conducive climate made the political costs too high for most community leaders.

Rod Miller of Californians Against Waste, the Sacramento-based public interest organization that led the 20-year drive for a state bottle bill, said citizens disillusioned with the spotty performance of the nuclear power industry are suspicious of high-technology solutions to a garbage problem better handled by packaging reform and recycling.

"What happened, basically, is the public rejected the concept of having the incinerators in their neighborhoods," said Miller. "The public said they don't want the problem of solid waste turned into an air pollution problem."

Proponents of the plants claim concerns about pollution are grossly exaggerated by public hysteria. Plant operators and state officials say modern smokestack scrubbers and airbag filters are able to screen out toxins such as hydrochloric acid, sulphur dioxide and dioxin — the active ingredient in Agent Orange, the deadly chemical used to defoliate jungles during the Vietnam War.

Owners of California's three plants say their emissions are well below federal and even tougher state air quality standards. "I think you have more of a concern from sitting next to a freeway in Los Angeles than you do from sitting under a stack at one of these plants," said Joey Garcia, spokeswoman for Ogden Martin Systems, a New York-based company that operates the Stanislaus Resource Recovery Facility in Crows Landing near Modesto.

But environmentalists such as Miller balk at such a lesser-of-two-evils choice. "How they can even consider a waste-to-energy (incinerator) in Los Angeles boggles my mind," he said.

Christopher Peck, spokesman for the California Waste Management Board, which regulates the garbage industry, said the choice may be a pragmatic one. "Basically it appears, in California anyhow, the available air pollution control technology is going to be able to handle the air emissions. What it may come down to is what's worse, air emissions from this or air emissions from vehicles ... Solid waste doesn't go away, no matter how you handle it — whether you bury it in the ground or you incinerate it."

There are concerns, however, that buried garbage ash could come back to haunt communities. Heavy metals concentrated in the residue could leach into soils and, ultimately, into ground water more easily. Peck said the state Department of Health Services is testing the ash on a case-by-case basis to determine whether it can be dumped at ordinary landfills or must be handled like toxic wastes and put in special dumps.

Ash from the Commerce plant has failed to meet state limits for lead, and the plant is considering chemically treating the ash, even though it remains below the federal standard, said Don Avila, spokesman for the Los Angeles County Sanitation District, which runs the plant with the city of Commerce. "We're talking about the equivalent of (lead contained in) one car battery a day," Avila said.

While the federal Environmental Protection Agency classifies the ash as a "special" waste, less dangerous than

Continued on next page

Kathleen Grubb is a writer for the Associated Press in Sacramento.

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hazardous waste, Ogden Martin recommends its clients in Stanislaus County and nine other communities across the nation keep the ash separate from other waste in case disposal standards are toughened. "The EPA hasn't really come to any hard and fast decision about what to do with the ash," Garcia said. "We feel we want to protect our clients."

Despite such environmental concerns, proponents and critics say the waste-to-energy plants could regain political favor as energy economics change and the state's landfill crisis worsens.

Current market prices would garner .2 cents to 3 cents per kilowatt-hour for incinerator energy, compared to the 9 cents per kilowatt-hour starting price the Commerce plant obtained in a 15-year contract signed in 1984 with Southern California Edison Company, Avila said. The Stanislaus County Resource Recovery Facility, which is in the testing phase and expects to reach full operation by February, will sell its energy to Pacific Gas & Electric Company. Despite current low prices, Ogden Martin plans to open five more plants nationwide after Stanislaus County. "That doesn't mean we can't find a steam user, an industrial customer, to purchase the steam we generate at our facilities," Garcia said. "That's still a possibility."

With a continuing national dependence on foreign oil, garbage remains an important source of energy, Garcia said. One pound of garbage produces about one-third the energy of one gallon of oil. Moreover, she said, there's more than enough garbage to go around, with the 160 million tons of trash Americans throw out each year enough to fill a building 30 stories high and as wide as 1000 football fields.

Miller said incineration may be viable if it's a last step, but environmentalists fear the garbage plants will fuel a need for more garbage rather than encourage recycling. "Unfortunately, once you get one of these new facilities in place, because it needs to pay for itself, it monopolizes the waste stream. We've seen that happening already in Modesto. They canceled their curbside recycling program," he said.

With California generating 20 percent of the nation's refuse, the Waste Management Board estimates that the state will run out of landfill space by the turn of the century, sooner for some metropolitan areas. San Francisco already exports its garbage to other counties. Los Angeles County, which generates 38 percent of the state's solid waste with 50,000 tons a day, twice the national average of four pounds daily per person, has enough room in its landfills to last only until 1994.

Peck said the Waste Management Board still considers incineration a viable "alternative" to landfills, a last step of an "intergrated waste management" program that first recycles usable goods, composts organic materials and sorts out toxic waste.

However, garbage experts on both sides of the burning issue say incinerator backers face tough public-relations campaigns to make the plants palatable to voters.

"I don't think you're going to see any new refuse-to-energy incinerators until at least the year 2000," Avila said. "Nobody wants refuse-to-energy [incinerators] because they're scared to death. That's one of the reasons we built [the plant in] Commerce, because we wanted to show it could be safe."

While California hasn't reached the point of Northeastern states such as New York, where an ill-fated garbage barge was turned away from ports in 1987, Garcia said the state could find itself in a similar predicament within five to 10 years. "My attitude is, you generate the garbage in your community, you should be responsible for it," she said. "I think California is going to have to wake up and smell the garbage, if you will."

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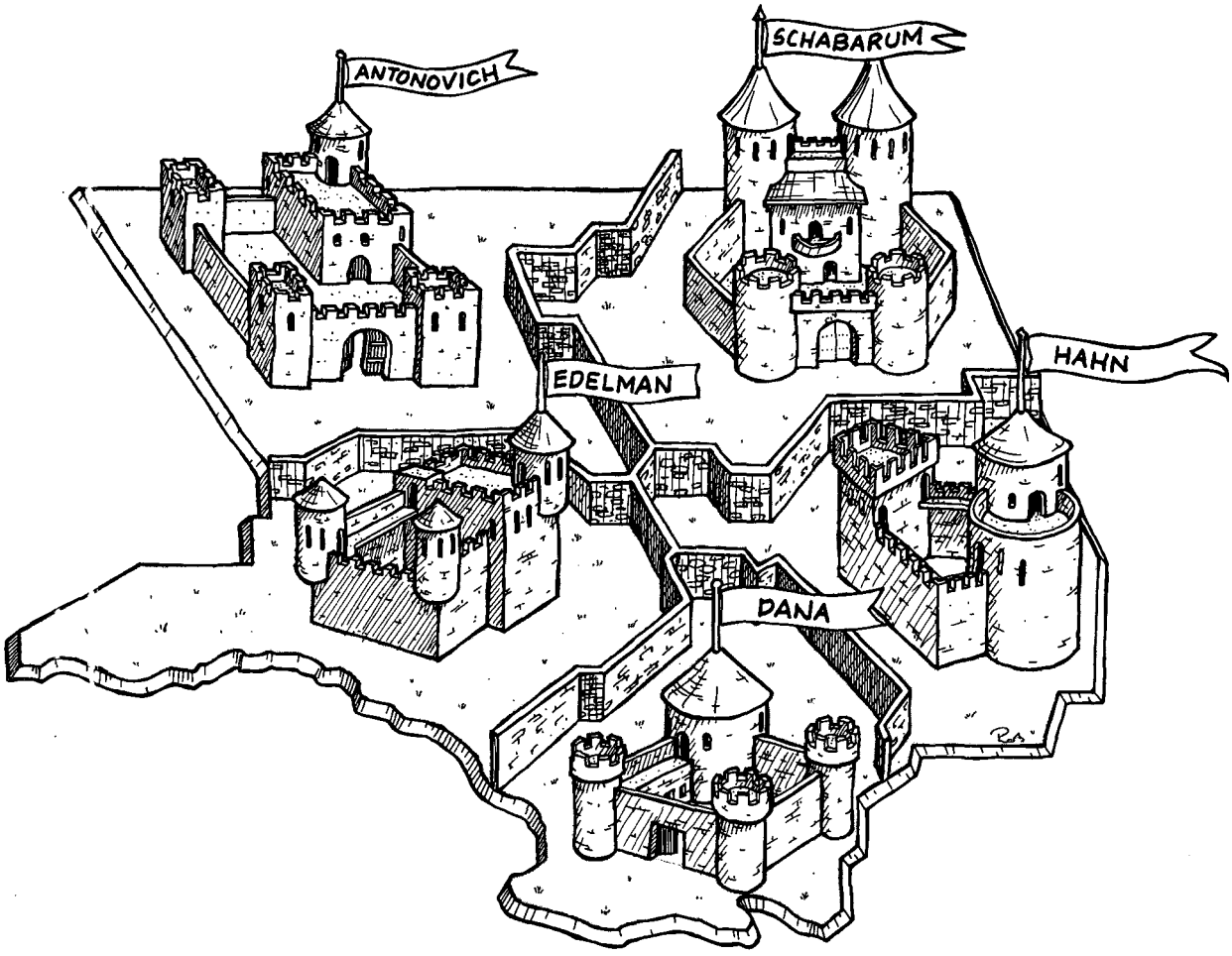

An assault on the princes

Lawsuits threaten LA supervisors' fiefdoms

By Erik Bucy

The odds seemed long that Ronald Reagan's Justice Department would act on complaints from Hispanic leaders that the all-White Los Angeles County Board of Supervisors had crippled the chances of minorities to win a seat on the board by adopting a gerrymandered reapportionment plan in 1981.

But in May 1988 Assistant Attorney General William Bradford Reynolds wrote to the county's top emissaries, alleging that the conservative-dominated, five-member Board of Supervisors had done just that, effectively fragmenting the county's large Hispanic population into three districts and leaving them without a voting-age majority in any one supervisorial district.

Almost four months later, as the county was close to reaching a compromise with the Justice Department that would have settled the matter, the board was hit with a lawsuit from the Mexican-American Legal and Educational Defense Fund (MALDEF) in conjunction with the American Civil Liberties Union Foundation of Southern California, accusing the county of discriminating against Hispanic voters. The suit called the Board of Supervisors "the most exclusive, most powerful Whites-only club in the nation."

On September 8th the Justice Department followed suit, charging the county with violating the Voting Rights Act of 1965 by denying the large and fast-growing Hispanic community a "fair opportunity for equal political participation." Current district boundaries, according to the Justice Department, have had a "disparate and injurious effect on the ability of Hispanic citizens to participate equally in the political process and to have an equal opportunity to elect a candidate of their choice to the Board of Supervisors."

Both the Justice Department and MALDEF say they have demographic data showing that there are enough voting age Hispanics in East Los Angeles and the San Gabriel Valley to constitute a majority, if they were in one district. But the county maintains it is not possible to create a contiguous district of

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Hispanics because of the vast numbers of Hispanic non-citizens in the county, including a large illegal alien population. Los Angeles County Counsel DeWitt Clinton also said the board is not obligated to redraw its district lines until after the 1990 Census. But a spokesman for the Justice Department asserted that Clinton is wrong on both counts.

"The Voting Rights Act has been violated by their scheme," said Mark Weaver, spokesman for the Justice Department's Civil Rights Division in Washington, D.C. "They need to be moving toward a plan that's in compliance and they're not doing that. If they're proposing that they want to stay in violation of federal law for another two years, that's unacceptable."

Weaver said the county could comply with the Voting Rights Act if it wished. A similar suit filed by the Justice Department against the Los Angeles City Council in 1985 was dropped when city officials finally agreed — after a long and bitter feud — to create a voting-age-majority Hispanic district. Two Hispanics have since won election to the 15-member council — former state Assembly members Richard Alatorre and Gloria Molina.

> "The message is that we're going to protect this Whites-only county at any cost."
>
> — *Mark Rosenbaum*

Shortly after filing the lawsuit against the county, Reynolds, a Reagan appointee who heads the Justice Department's civil-rights division, expressed optimism that there would be "an amicable solution." Weaver said the department would welcome an out-of-court settlement. A trial date for the lawsuits — which are likely to be consolidated into a single case by U.S. District Judge David Kenyon — has yet to be set.

A strong combination of politics and law appears to be against the supervisors. But county officials have already drawn their battle lines. The county has contracted with the high-priced, hard-hitting attorney John McDermott of Century City who successfully represented the City of Pomona in its defense of a recent voting-rights case, to negotiate a settlement with the Justice Department and public-interest law firms. (Attorneys representing MALDEF, the ACLU and the Justice Department are scheduled to meet with county lawyers to discuss the case at the end of October.)

While both suits seek a remapping of district lines in time for the 1990 election, the MALDEF and ACLU case also asks for an expansion of the five-member board, preferably to seven or nine members. The Justice Department suit doesn't specify how the county should give Hispanics greater representation. But if the supervisors are unable to adopt their own redistricting plan, the suit filed by the Justice Department asks the court to devise one for them.

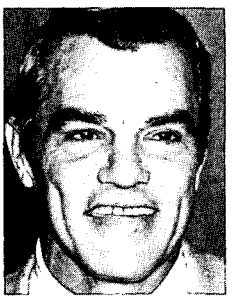
The board's actions until now indicate that a court-appointed judge will indeed have to step in to resolve the dispute. In August the board voted 3-2 to reject a proposal by liberal Supervisor Kenneth Hahn that would have placed on the November ballot an expansion measure that would have satisfied the Hispanic community's concerns. Instead, the board commissioned the Rose Institute of Claremont McKenna College, which has done extensive reapportionment work that is widely praised by Republicans, to study current population patterns in the county. The data, county officials say, confirms their position that carving a voting-age-Hispanic district is not logistically possible.

"The information we have developed indicates to us that you cannot form such a district," County Counsel DeWitt Clinton said after the Justice Department filed suit. "The numbers aren't there. It's not even close."

Hispanics account for about 2.7 million — or 33 percent — of the county's estimated current total population of 8.4 million. That number is expected to increase with the 1990 census. But the question remains whether there are enough voting-age Hispanics to justify the formation of a new district. County conservatives have expressed dismay that the Justice Department did not wait until the upcoming census before filing suit. Their position is that until new demographic information is available, an accurate assessment cannot be made.

The lateness of the hour and the fact that Republicans had been courting the Hispanic vote for last November's election led MALDEF and others to accuse the county of "stonewalling" on the issue of redistricting, and fueled speculation that the Justice Department intentionally waited until an election year to proceed with its case for political reasons. Lawyers from MALDEF and the ACLU have implied that the Reagan administration has been reluctant to file suit because a court-ordered reapportionment favoring the election of an Hispanic might endanger the Board of Supervisors' Republican majority. The department was first notified about the county reapportionment problem by civil-rights groups in 1986.

The class-action lawsuits, the most extensive ever brought against a local government under the Voting Rights Act, may have statewide, if not nationwide, implications. Voting-rights suits alleging that at-large, city-wide elections disenfranchise large blocs of minority voters are pending in several California cities, including San Diego, Chula Vista, National City and Stockton. Bolstering the hopes of the plaintiffs of these cases is a July 27, 1988, decision by the U.S. 9th



Schabarum

Antonovich

Circuit Court of Appeals stemming from a case in Watsonville barring at-large elections there because they dilute the voting strength of minorities.

But Los Angeles County's perfunctory responses to the lawsuits categorically deny all the key allegations made by the Justice Department and civil-rights groups, and asks the court to dismiss the potentially ground-breaking cases. A lawyer for the ACLU said the county's response beckons back to the answers given decades ago by officials who were sued for gerrymandering in the South.

"It reads like the sorts of legal documents that Southern officials filed in the 1950s and '60s, denying racial discrimination in the South when districts were gerrymandered to deny votes to Blacks," said Mark Rosenbaum, general counsel for the ACLU Foundation of Southern California. "The message

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is that we're going to protect this Whites-only county at any cost."

When the MALDEF-ACLU case was filed, Supervisor Mike Antonovich dismissed it as a "nuisance suit" and said there was no evidence of discrimination against Hispanics in the 1981 reapportionment plan. Fellow conservative Supervisor Pete Schabarum said he considers it racist to draw

Hahn

boundaries on the basis of any ethnic considerations. All that is currently mandated by state law is that each of the supervisors represent the same number of people.

On the five-member board, each supervisor represents a constituency of about 1.6 million people, or three times that of a member of Congress. The board oversees an $8.9-billion annual budget, 77,000 county employees and a governmental apparatus bigger than that of 42 states. In contrast, each of the 15 members of the Los Angeles City Council represents about 200,000 constituents.

Civil-rights groups maintain current supervisorial districts are so large that board members cannot be responsive to the people they were elected to represent, and too large for an Hispanic to have a chance of being elected.

No minority has ever been elected to the position of supervisor, even though Anglos constituted only 45 percent of the county population in the 1980 Census. The only Black to serve on the board, former Democratic Congresswoman Yvonne Braithwaite Burke, was appointed to fill a vacancy on the board by then-Governor Jerry Brown. However, she was defeated in 1980 by conservative Deane Dana when she tried to win the seat on her own. Dana's victory that year, coupled with Mike Antonovich's win over incumbent Supervisor Baxter Ward, brought the Republicans to power on the ostensibly nonpartisan board.

The board's liberal members maintain that expanding the size of the board is the most logical way to create a district with a majority of Hispanic voters without upsetting the incumbency of a sitting board member. Yet county voters roundly rejected similar propositions in 1962 and 1976, mainly because of the perception that "bigger" government would cost taxpayers more money.

Instead of adding seats to the board, the supervisors could opt to redraw boundaries that concentrate more Hispanics into an existing supervisorial district. The two districts most likely to be targeted by a realignment plan include those represented by liberal Supervisor Edmund Edelman and conservative board member Pete Schabarum. Both Edelman's 3rd District, which includes East Los Angeles, and Schabarum's 1st District, composed primarily of the east San Gabriel Valley, are 44 percent Hispanic.

Dana's coastal 4th District is 18 percent Hispanic and Antonovich's vast 5th District, which stretches from the Santa Monica Mountains to the San Fernando Valley, is 19 percent Hispanic. Blacks already account for a majority in Hahn's centrally located 2nd District, which encompasses south and central Los Angeles. Political observers predict a Black will be elected to replace Hahn once the 65-year-old supervisor retires.

If forced to reapportion, the board Republicans may be able to create an Hispanic district and still preserve their power base. In such a scenario, the conservative troika of Dana, Schabarum and Antonovich would probably try to carve a mostly Hispanic district at the expense of Edelman, who is up for re-election in 1990 anyway. But the county charter requires four votes to adopt a reapportionment plan, which opens the door to unpredictable dealing between the five supervisors.

"Unless one of the Democrats breaks rank, which seems unlikely, there will probably be a stalemate," commented Bruce Cain, a noted political scientist at the California Institute of Technology who was hired by the Justice Department to provide demographic information and political advice in its suit against the county. "The potential of the court stepping in to decide the case is pretty high."

Insiders speculate that the conservatives may offer concessions to Hahn, whose influence on the board diminished when they came to power eight years ago, in order to persuade him to abandon his liberal colleague in a redistricting showdown.

But Dana, Schabarum and Antonovich would be hard-pressed to make Hahn enough promises to smooth over eight years of bitter differences. The Republicans consistently have ridiculed and rejected Hahn's proposals, labeled him a demagogue, and even denied him the board chairmanship — a largely ceremonial post now held by Dana — that traditionally was rotated among all the board members on an annual basis.

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For his part, Hahn said he is not looking for any handouts from his adversaries on the board. "They couldn't offer me anything but justice and fairness that would influence my vote," he was quoted as saying recently. Hahn predicted that the conservative board members will probably postpone any action on the lawsuits as long as possible. "They'll go down to the wire and then let the judge do it," Hahn said. "They think they'll get a better deal from a judge."

Given that Hahn is still recovering from a major stroke he suffered last January and may be forced to leave office for medical reasons before his term expires in 1992, the Republicans may look to their fourth vote in the form of a conservative supervisor appointed by Governor George Deukmejian to replace Hahn. On the conservative side, things may open up if Schabarum gets a job in the George Bush administration.

Whatever the outcome of the two lawsuits, politics in Los Angeles County will be closely monitored over the next few years by civil-rights groups throughout the state. An Hispanic victory is likely to change the dynamics of local politics from San Diego to Stockton, according to Richard Fajardo, the lead attorney for MALDEF in the suit against the county. In Fajardo's view, the lawsuits go straight to the foundations of representative government: "The issue is, does the system as it now exists prevent people access to the political process? We think it does."

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

Washington

This is a city where fashion follows the election returns. Ronald Wilson Reagan of Santa Barbara and Beverly Hills, California, is heading home. Herbert Walker Bush of Kennebunkport, Maine, and Houston, Texas, is taking over.

THAT MEANS THE TRENDY HOSTESSES OF Georgetown dinner parties will begin replacing the baby vegetables and Napa Valley wines of California cuisine with the spicy Tex-Mex fare and Lone Star beer of Bush's adopted home state.

But the catering menus are not all that will change. Although Bush chose a Californian — Michael Boskin of Stanford — as his chief economist, the president-elect's Cabinet will be dominated by his friends from the northeast (White House Chief of Staff John Sununu, Treasury Secretary Nicholas Brady, Attorney General Richard Thornburgh) and from Texas (Secretary of State James Baker and Education Secretary Lauro Cavazos).

That is a dramatic geographical swing away from the California dominance of the Reagan administration, especially in its early years. Back then, Baker was the "outsider" who joined Ed Meese and Michael Deaver in a California-dominated troika that ran the White House.

At various times, Reagan's Cabinet included Californians Meese and William French Smith as attorney general, Caspar Weinberger as Defense secretary, George Schultz as secretary of state, John Herrington as Energy secretary and Richard Lyng as Agriculture secretary.

California may not have extracted many tangible advantages from this connection. But sentimental ties may have helped on occasion. For example, San Francisco city officials once recruited Defense chief Weinberger, a former San Franciscan, to help lobby for funds needed to refurbish the famed cable cars.

In the Bush administration, the dominant accents will be northeast preppy and Texas twang. "It's the end of the California era and the beginning of the Texas era," said one top California Republican. "To say that California is out of the loop completely is not accurate. But we're not going to have a presence in Washington."

Some Californians, especially those close to Governor George Deukmejian, had assumed their interests would be watched in the Bush cabinet by Craig Fuller, who was Bush's vice presidential chief of staff. Fuller grew up in Walnut Creek and maintained close contacts in his home state. But to widespread surprise, including Fuller's, Bush passed over his ever-loyal assistant when it came to picking the White House chief of staff. Instead, he made the bold choice of Sununu, the New Hampshire governor who had helped rescue Bush's primary campaign by delivering his state.

"To have someone there [in the White House] on a regular basis, that was the best hope we had," said one chagrined California Republican strategist. "Nothing is going to be like Reagan because this is not a California administration. But Craig Fuller would have been the mainline for California."

That is not to say that California's top Republicans will be unable to get their phone calls returned.

Deukmejian has a close relationship with Bush. There are indications that Bush might well have chosen Deukmejian as his running mate if the Californian had not ruled himself out so emphatically. And Bush depended heavily on Deukmejian and his advisers to run the presidential campaign in the largest state.

"The strongest pipeline that exists is the governor to the vice president," said one veteran Deukmejian adviser. "That is a very strong relationship and a very good one. That will probably be very important when California's interests need to be expressed."

Those close to Deukmejian insist he is being honest in saying he harbors no secret hopes of an appointed job in Washington. They dismiss as unlikely the renewed gossip that Bush might appoint Deukmejian — who was a law-and-order state attorney general but lacks any judicial experience — to the U.S. Supreme Court. One long-time Deukmejian adviser hazards a guess that the governor might someday find an appointment as U.S. attorney general irresistible.

Although Deukmejian is Bush's main man in California, the new president also has a friendly social and political relationship with Republican Senator Pete Wilson. Wilson also enjoys a very chummy friendship with new and controversial Vice President-elect Dan Quayle from their service together as super-hawks on the Senate Armed Services Committee.

Even with few Californians at the top of the Bush administration, the state is expected to take a share of the second-level jobs that Bush will be filling for months to come. Californians are considered likely to win some second-level jobs in the Energy, Interior and Agriculture departments where they will be aware of the state's economic and environmental interests. For instance, Bush recently named Carla Hills to be his chief trade representative. Hills, a transplanted Californian, now lives in Washington.

These "sub-Cabinet" posts, one rung down the bureaucratic ladder, include the panoply of deputy and assistant and deputy assistant secretaries at every agency.

"In the real world of Washington politics, the Cabinet secretaries, as important as they are, have to spend an enormous amount of time being public relations people," said Jack Watson, the Atlanta attorney who ran Jimmy Carter's presidential transition. "The people who are back at the ranch getting the job done, so to speak, are those other people."

CHASE UNTERMEYER, BUSH'S PERSONNAL CHIEF, said the new president will take his time filling those sub-Cabinet posts. Sooner or later, however, most of the Reagan holdovers will be prodded out of their jobs to make way for Bush loyalists and to deliver on Bush's promise to populate the government with "fresh faces."

"This is not Ronald Reagan's third term," Untermeyer emphasized. "It will be George Bush's first term."

Larry Liebert is Washington bureau chief of the San Francisco Chronicle.

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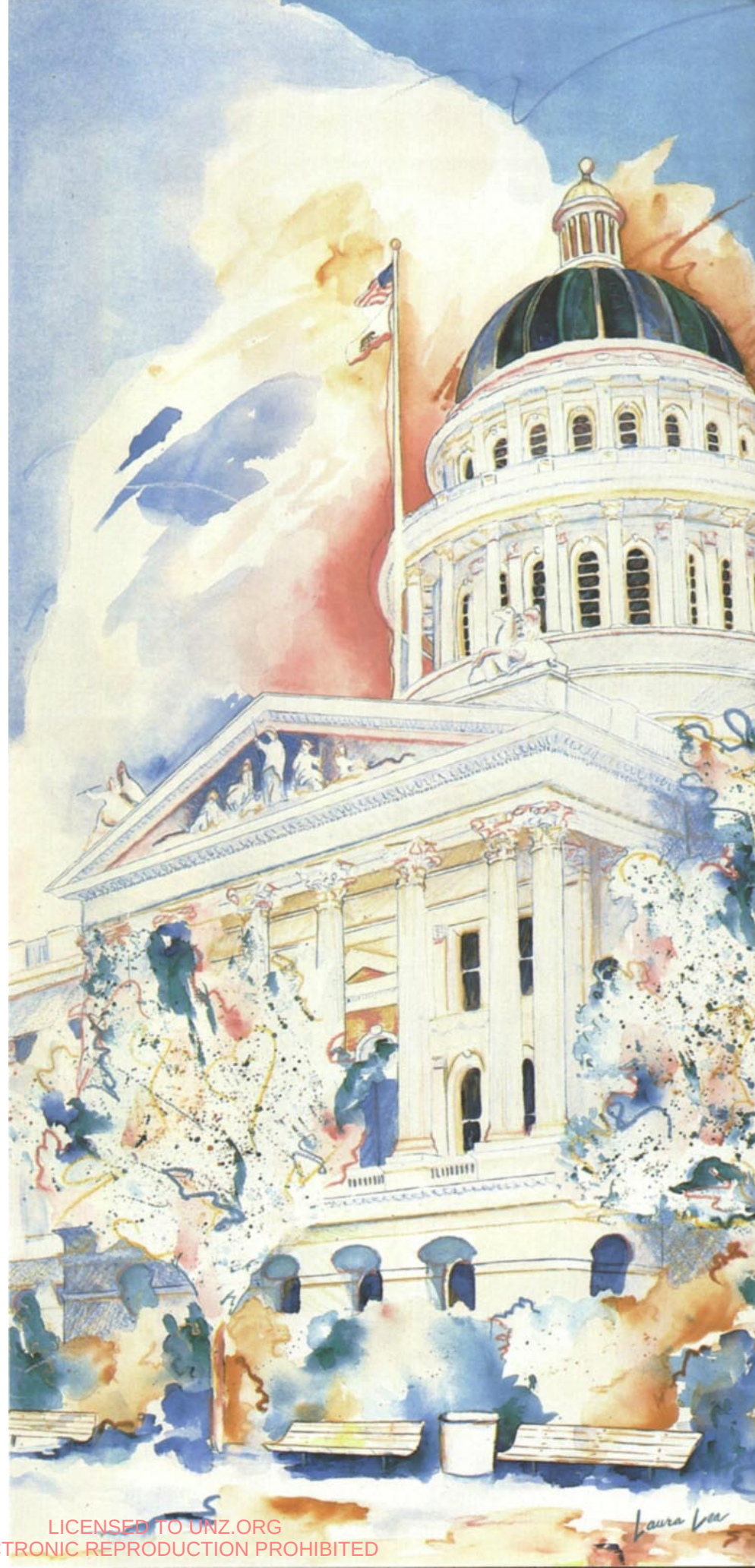

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